



**Examination relating to Delivery & Site Allocations
Plan:
Written statement on Matter 5.2 relating to the
Desborough Area**

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

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Matter 5.2: Is there sufficient flexibility to encourage changes to individual sites or is there a danger that the emphasis on overcoming open space deficiencies (policy HW2) might make it difficult to deliver plan objectives?

Proposed action: It is proposed that policy HW2 is amended to provide more flexibility as outlined in paragraph 18.

Main statement

1. There is very little flexibility in policy HW2 at present, which will not encourage changes to individual sites. This rigidity relates to the following matters:

1. Open space requirement

2. The open space requirement goes well beyond the Council's open space requirements as set out in policy DM15. This states that for:

- developments of less than 40 dwellings (gross) or less than 5,000 sqm (gross) of non residential development provision of both strategic and local open space will be made off-site & funded through the CIL;
- for developments of 40 dwellings or above (gross) or 5,000 sqm or above (gross) of non-residential development:
 - a) strategic open space will be provided off-site and funded through the CIL
 - b) local open space should be provided on-site at the rate of 1.15 hectares of local open space per 1,000 population, in addition to any on-site provision of private or communal open space required as part of providing sustainable, high quality environments.

3. The 2011 census indicates that in the Oakridge & Castlefield Enumeration District the average household size is 3.02. Providing enough homes to accommodate 1,000 people at 50 dwellings per hectare would therefore take 6.62 ha in this part of High Wycombe. Under policy DM15 the open space requirement for 1,000 dwellings would be 1.15 ha of local open space, resulting in a total site area of 7.77 ha of which 14.8% would be open space which is well below the approximately 50% required under the revised policy HW2. Indeed on a small site such as Ruskin works, Oakridge Road, which covers 0.14 ha, which would provide less than 40 dwellings or 5,000 sq m of non residential floorspace the requirement would normally be for local and strategic open space to be provided off site. While it is acknowledged that there is a shortage of open space in the Desborough Area, requiring approximately 50% of already developed sites, in an area which the council acknowledge is an '*area of deprivation*,' (para 3.144) where development will not have the level of returns that would occur in a more prosperous area, is likely to result in very little new development coming forward. Indeed as provision of such a large area of open space is not related to the needs of the development it effectively involves compulsorily acquiring land for this purpose without any compensation being paid and indeed making the development pay for future maintenance.

4. Furthermore, on smaller sites the amount of open space that would be created, even if 50% of the site was devoted to this purpose, would be very small and not make a significant contribution towards addressing the open space shortfalls in the Desborough Area. For example, at Ruskin Works in Oakridge Road, the site is only 0.14 ha, and so even with 50% of the site allocated for open space the total area would only amount to 0.07 ha. There is a significant danger that the open space created on some sites would not be sufficiently large to be used for any meaningful purpose. As a result there is a risk that small areas of unconnected open space might be created that would be little used and become the focus of anti-social activities.

2. Employment requirements & its application to small sites

5. The proposed submission document (CD0.1) contains the requirement under policy HW2 that *'on existing employment areas the council will require an element of employment generating development in proportion to the size of the site being proposed for development.'*

6. The Council has since, in Further Change Reference 19, (CD7.7) proposed to amend this wording so that the policy would state:

'1. Open space deficiency and improvements to the river corridor in the area will be addressed by allowing sites located adjacent to the stretch of the River Wye between Desborough Avenue and Desborough Park Road to be redeveloped for residential uses subject to the provision of the following:

1.1 Approximately 50% of the site area is made available as public open space; and

1.2 The public open space should adjoin the river, ensure full public access to it, and, be usable.

2. Where a site is an employment area and has existing tenants/occupiers the Council will require:

- a) that the development proposal includes an element of new employment generating development in proportion to the size of the site being proposed for redevelopment, or where due to reasons of viability this is not possible;*
- b) demonstration that an existing occupier/business will be relocating to premises within the District.*

3. Development should seek to conserve and enhance the biodiversity, landscape and recreational value of the River Wye and it's corridor through good design in line with policy DM14.'

7. These policy requirements, both as originally worded and in the proposed amendment, are considered to be too restrictive to encourage sites to come forward for development, for the following reasons:

- i) Some of the sites coming forward are very small, where it would not be feasible to retain an element of employment use. For example, Greenlife Properties Ltd's land at Ruskin Works, Oakridge Road occupies 0.14 ha. Under the policy approximately 50% or 0.07ha would have to be open space. If the remaining 0.07 ha was divided equally between residential and employment there would be 0.035 ha of each. This would not provide enough land for a realistic development of either use. The council is prepared to lose significant areas of employment land on larger sites by allowing approximately 50% of their site area to be developed for open space and part of the remainder to be developed for residential purposes, so it does not make sense to require insignificant areas on smaller sites to be retained for employment purposes.
- ii) The economic potential of some of the sites is limited, particularly smaller sites such as Ruskin works because the Desborough Area occupies a weaker location than other currently available employment stock, as it is not close to major transport routes such as the M40 or public transport facilities such as the train and bus station as in the town centre.
- iii) In order to be compatible with the new residential development that HW2 would allow on redeveloped sites, the retained employment generating development would need to consist of B1 uses comprising offices or light industry in order to ensure that the amenities of the residential properties are not adversely affected. However, the Council's Economy Background Paper (June 2009) (not included in list of Core Documents) indicated that within Wycombe District Council's area there was 87,000 m² of vacant employment land, the majority of which consists of vacant office accommodation, which amounted to 63,545 m². The surplus of office space in High Wycombe is further emphasized by the Strategic Marketability Assessment of Employment Sites prepared for the Council by

Lambert Smith Hampton (2010) (not included in list of Core documents), which states in paragraph 40 that *'there is currently 46,265 square metres of available office space within the Wycombe District... At current levels, the availability rate in Wycombe stands at an estimated 14.7%, a level at which the market can be said to be currently over-supplied. When the availability rate exceeds 8% a market is generally said to be well supplied and rental levels tend to stagnate or even decline as this rate increases.'* The report goes on to state in paragraph 52 that *'there is currently 100,000 square metres of office space in Wycombe's development pipeline. All of this space has planning permission, or at least a previously established consent.'* At Ruskin Works there is an extant planning permission, which involves converting the former factory building into offices, but with the current surplus of office accommodation, requiring this to form part of any redevelopment proposals for the site, cannot be justified as it would almost certainly result in office accommodation, which it would not be possible to let at viable rents.

iv) There will often not be sufficient returns from redevelopment to justify the retention of employment generating uses. With regard to Wycombe Town Centre, the Savills 'Property Market Analysis and Sequential Test (Jan 2007) (CD3.1.3) stated that in the case of office accommodation *'developers have been deterred from developing new property in the town centre as the rents that are being achieved are not great enough to generate the appropriate returns. Additionally, currently the town centre does not offer many appropriate development opportunities and developers are unlikely to develop offices on small and piecemeal sites within the town centre.'* (para 2.1.6) These comments apply equally if not more to the Desborough area, which has less good links by public transport, and would undoubtedly apply with more force now than when written, as they were made before the current recession.

v) There are employment areas and especially office accommodation available in much more accessible locations. The Atkins Wycombe Economic Study (CD3.1.2) makes reference to a number of prime business locations, including:

- Junction 3 M40 cluster (Loudwater/Wooburn Green);
- Globe Park/Marlow International;
- Johnson & Johnson;
- Junction 5 M40 – Existing employment allocation at Stokenchurch;
- Key elements of Cressex Business Park. (para 11.6)

With modern office accommodation being available in these much more accessible locations there is no longer a viable market for office accommodation on small sites such as Ruskin Works in the Desborough Area;

vi) In relation to the exemption from the requirement to provide replacement employment land, the council's amended wording states that where an employment area *'has existing tenants/occupiers'* for this to take effect *'the Council will seek a guarantee that any business that is being relocated will remain within the district. The Council will seek this guarantee through the use of a legal agreement.'* This would require the agreement of all of the current occupiers, who are independent businesses and might choose not to remain within the district, in any event. This could happen whether or not development takes place. This requirement is unduly onerous and undeliverable and should be removed. The reference to *'tenants'* should also be removed as tenants do not even need to be in occupation, and if this clause is retained the policy should make it clear that it only relates to actual business occupiers.

8. In order to retain an element of employment generating development, the only alternative to providing refurbished or new units, would be to leave the premises at Ruskin Works in its present condition. However, the building is currently in need of refurbishment and leaving it in its current condition will not contribute to the *'economic and social regeneration'* of the Desborough Area, which is one of the key principles of Core Strategy policy CS4.1.

9. In addition retaining small areas of employment land on existing sites in the Desborough Area is not necessary in order to maintain High Wycombe's employment base. The Core

Strategy (CD5.2.1) states that land for business of various types currently extends to around 325 ha (para 4.52). It is suggested that there is scope for a net loss of around 20 ha in the next 10 years or so, with about 10 – 12 ha of this loss being located in High Wycombe and adjoining settlements (para 4.55). Greenlife Properties Ltd's site at Ruskin Works, Oakridge Road amounts to 0.14 ha. If part is developed for housing and open space, the amount of employment forming part of a new development will be very small and if it was developed for a wholly residential scheme it would make no appreciable difference to the overall employment provision in High Wycombe. There is therefore no justification for this requirement on small employment sites.

The Benefits of a more flexible approach allowing the redevelopment of small employment sites in Desborough for wholly residential development

10. With the twin requirements for approximately 50% open space provision and an element of employment generating development it is considered that there is not sufficient flexibility to encourage changes to individual sites and there is a danger that the emphasis on these two issues might make it difficult to deliver the plan objectives of regenerating the Desborough area. It is considered that these problems could be overcome by allowing a smaller area of open space to be provided and smaller sites, (under 0.5 ha) to be developed for wholly residential development.

11. While Wycombe District does currently have a five year housing supply, the Annual Monitoring Report 2010/11 (AMR 2010/11) acknowledges that Wycombe experiences high levels of housing need. (para 4.1). In addition in order to meet the residual housing requirement of the Core Strategy to the end of the plan period (2026), there is a need to identify how a further 1,415 dwellings will be provided (p 33 of AMR 2010/11). The NPPF also seeks '*to boost significantly the supply of housing*' (para 47). Allowing small existing previously developed employment sites in the Desborough Area to be used for wholly residential development would therefore help to meet a pressing need for more housing in a sustainable location.

12. The Ruskin works site at Oakridge Road is also located immediately adjacent to residential development to the south and west, and so use for residential purposes would relate well to the adjoining area.

13. In addition wholly residential developments could do more to help deliver wider regeneration benefits, including opening up the River Wye, and potentially retaining and restoring part of the area's industrial heritage. It would also help bring forward the regeneration of poor quality sites, such as Ruskin Works, which will help to enhance the amenities of the surrounding area and create momentum that will encourage and/or complement the regeneration of other sites nearby, to support the wider regeneration of the Desborough Road area

14. Policy HW1 states that '*the specific uses appropriate on each site will be identified in a subsequent local plan document where appropriate.*' However, as work is just beginning on the Local Plan document, this will delay the regeneration of the Desborough Area; is inconsistent with the title of the plan, which is entitled as the 'Delivery & Site Allocations Plan' and is also inconsistent with policy HW2, which sets out precise requirements for sites coming forward to contain approximately 50% open space and an element of employment generating development.

15. Without a more flexible policy it is likely that sites such as Ruskin Works will not be able to justify significant investment and the standard of accommodation and facilities on offer will continue to be poor.

Overall assessment

16. In order to encourage developers/landowners to bring sites forward for redevelopment so as to regenerate the area, it is important to provide them with an incentive to develop sites. The proposed policy with its rigid requirement for approximately 50% of the site to be provided as open space and for an element of employment generating development to be retained, does not provide this incentive. In particular such tight restrictions do not accord with the advice in paragraph 157 of the NPPF that:

'Local Plans should allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate.'

17. While the aspiration of regenerating Desborough; retaining some employment land on larger sites and creating more open space is supported, without a more flexible approach than that envisaged in policy HW2 it is unlikely that the proposed submission Delivery & Site Allocations Plan will achieve the aspirations of Core strategy policy CS4.1 as few sites will come forward for development.

18. As currently worded policy HW2 is unsound as it has not been demonstrated that the policy is the most appropriate strategy when considered against the reasonable alternatives; it is not deliverable; nor is it consistent with national policy. It is therefore proposed that the wording supplied by the council in Further Change Reference 19 (CD7.7) is amended to provide more flexibility by stating:

'HW2 Desborough Regeneration

1. Open space deficiency and improvements to the river corridor in the area will be addressed by allowing sites located adjacent to the stretch of the River Wye between Desborough Avenue and Desborough Park Road to be redeveloped for residential uses subject to the provision of the following:

- a) **the provision of public open space on larger sites which should as a minimum meet the requirements of policy DM15, and**
 - b) the public open space should, **where practical**, adjoin the river, ensure full public access to it, and, be usable.□
2. **On existing employment areas where the site area exceeds 0.5 ha the Council will require an element of employment generating development in proportion to the size of the site being proposed for redevelopment.**
3. Development should seek to conserve the biodiversity, landscape and recreational value of the River Wye and it's corridor through good design in line with policy DM14.'