



## Hertsmere Revised Core Strategy Examination

### Matter 5 Statement

#### Boyer Planning on behalf of Lowerland (2004) Ltd (Ref: 4652)

#### 1.0 Introduction

- 1.1 This statement is hereby submitted on behalf of Lowerland (2004) Ltd in respect of land interests in Hertsmere Borough, and specifically land adjoining the well-established employment areas of Centennial Park, Lismirrane Business Park, the Waterfront Business Park and the McNicholas Headquarters at Elstree.
- 1.2 Lowerland (2004) Ltd controls approximately 5.7ha of land bounded by Elstree Road (A411) to the north and Western Avenue (A41)/M1 Corridor to the south. Although currently within the Green Belt, in common with the adjacent designated employment areas, the site is partially developed, with a pet hotel and other buildings totalling in the order of 1,200 sqm, in addition to other site infrastructure. The site is low grade urban fringe land, separated from the open countryside and relating more obviously to the substantial employment developments to the north and east.
- 1.3 Lowerland (2004) Ltd intends to bring this site forward for a range of commercial activity, including B1/B8 uses, in common with adjacent sites, but feels that the site could also provide potential for other employment-generating uses, such as hotel/leisure or elderly care facilities. It is considered that the site represents a logical area for expansion of commercial development of this nature, given the surrounding context and particular circumstances of this part of the Borough.
- 1.4 In accordance with the requirements set out in the Preliminary Advice Note this statement is provided further to previously made representations and focusses specifically on the questions set by the Inspector in the list of matters and issues. It also seeks to reflect up to date Government Policy within the recently published National Planning Policy Framework (NPPF), in line with the e-mail received from the Programme Officer on 2<sup>nd</sup> April 2012.
- 1.5 As you will be aware, and as summarised above, the principal interests of Lowerland (2004) Ltd. relate to the topic of employment provision and Green Belt policy within the Core Strategy. As such this statement concentrates on the issues most relevant to these areas, as follows:
- Issue 5.1
  - Issue 5.2
  - Issue 5.3

- 2.0 **Issue 5.1: Does the RCS make adequate provision for economic development? To the extent that there is reliance on proposals in neighbouring districts, is this justified?**
- 2.1 As highlighted in our previous representations, Lowerland (2004) Ltd consider that the RCS does not make adequate provision for economic development, having regard to the findings of evidence base employment land studies which conclude that there is a need for additional B-class uses, and to the unacceptable strategy of relying on employment allocations within neighbouring districts.
- 2.2 It is noted that in the recent Employment Site Allocations Report (November 2011), Hertsmere Borough Council acknowledge that reliance cannot be placed on the provision of employment land within neighbouring authorities, particularly as those Councils are currently reviewing their own LDFs and that there can be no certainty that they will make, or be able to deliver, large Green Belt employment allocations (para. 3.1.3). Similar reference is also made at Para. 4.18 of the RCS, where it is stated that no new B1 Office space is anticipated within the Borough, ***“unless the new potential business parks in adjoining boroughs are not forthcoming.”*** Notwithstanding the Duty to Co-operate introduced by the NPPF, this is considered to remain the case.
- 2.3 This illustrates that it would be unsafe to rely on such provision, over which Hertsmere Council has no direct influence, and that, particularly in the context of the growth aspirations of the NPPF, the Borough needs to make appropriate provision for employment land to meet future economic growth requirements within its own boundaries.
- 2.4 The NPPF provides a strong and well documented emphasis on the need to support economic growth, potentially to an even greater extent than PPS4 previously did, and building upon the previous Planning for Growth Ministerial Statement from Greg Clark (23<sup>rd</sup> March 2011). Specific references within the NPPF include the following statements and objectives:
- **“contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation...”** (Para. 7);
  - **“The Government is committed to securing economic growth in order to create jobs and prosperity...”** (Para. 18);
  - **“The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth...”** (Para. 19);
  - **“To help achieve economic growth, local planning authorities should plan proactively to meet the needs of business...”** (Para. 20).
- 2.5 Under the heading of “Building a strong, competitive economy” it is also noted (at Para. 21) that ***“policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances.”***
- 2.6 The subsequent paragraph also details that planning policies should avoid the long term protection of sites allocated for employment uses, where there is no prospect of the land being used for such use, and that applications for alternative uses

should be treated on their merits in this context. This therefore provides a clear example of the changes in circumstances that can occur, and which it is acknowledged that Hertsmere Council has recognised to an extent within the RCS.

- 2.7 The safeguarding of additional land to account for this is by its very nature a long-term strategy, given that a review of the LDF would be required to release such land for development and therefore more immediate options are also required. This includes greater clarification of the scope for further development focussed on, including adjacent to, employment sites which remain located within the Green Belt.
- 2.8 Furthermore, as a consequence of the focus of the evidence base studies on B-Class employment, the evidence base studies do not appear to represent a comprehensive assessment of employment, or more significantly in planning terms, land and floorspace requirements for other forms of commercial activity. For these various reasons, the policies proposed within the Revised Core Strategy in relation to employment land clearly do not provide a comprehensive strategy for the provision of B-Class development; and neither these policies nor those in the Town Centres and Shopping Chapter sufficiently address other forms of commercial development with land requirements, such as commercial leisure or hotel use.
- 3.0 Issue 5.2: Is there clarity about the areas of land to which Policies CS8 – CS10 apply? What are the implications for the Proposals Map if Local Plan Policy B1 is to be replaced?**
- 3.1 Reference is made in Policy CS8 to provision being made for at least 110ha of employment land focussed on a number of locations through the site allocations DPD (our emphasis). This includes the Key Employment site at Centennial Park, listed within the policy text. However it is unclear what areas relating to this existing employment site are to be considered in this context, and how much flexibility is built into this approach.
- 3.2 The approach to the release of proposed safeguarded employment land is also unclear because of contradictory statements within supporting text. Specifically in some places it is stated that such land is safeguarded to meet needs “beyond the plan period” (Amended Para. 4.21), whilst elsewhere it is suggested that this approach ensures a flexible supply of employment land “over the plan period” (Para. 4.18).
- 3.3 No firm reference is made to the Employment Site Allocations Report, which would perhaps otherwise provide some clarification as to the assumptions being made about future decisions to be made through the Site Allocations DPD.
- 3.4 More significantly the rationale for selecting sites to be assessed through this assessment is not clear. In particular it is highlighted that in relation to Centennial Park Key Employment site land to the north and east was selected for consideration, despite this not having been promoted through the Core Strategy process to date, and unsurprising then ruled out on the basis that this could not be considered available for development. Land immediately to the west, which is also adjacent to the Lismirrane Business Park, which contains existing buildings, and which therefore provides an opportunity for further employment development in a

manner which would have minimal impact on the Green Belt, was seemingly not evaluated in this context.

3.5 CS9 makes reference to Local Significant Employment sites, including Lismirrane Business Park. It is noted that the site boundaries for these allocations will similarly follow within the Site Allocations DPD.

3.6 It is understood that Local Plan Policy B1 is to be replaced on Adoption of the Core Strategy, and specifically by Policy CS8. Hertsmere Council's response to the Inspector's early question on this matter is noted on the basis that the identification of the boundaries for these sites will remain on the basis that the Proposals Map continues to be valid until this is directly replaced by a replacement through the Site Allocations DPD process.

**4.0 Issue 5.3: Is the proposal for safeguarding land adjoining the Elstree Way employment area justified and consistent with national policy? Does Policy CS8 provide adequate guidance about the extent of the area to be safeguarded and the basis on which it or the Cranborne Road safeguarded area would be released for development?**

4.1 The principle of safeguarding land to meet future development needs is felt to be consistent with the NPPF, which in common with PPG2 before it, includes scope for such provision to be made. It is not however considered that this is necessarily a sufficient mechanism for addressing changing circumstances within the plan period, as this would require a review of the LDF in order for such land to be released for development.

4.2 To provide this flexibility it is the submission of Lowerland (2004) Ltd that further emphasis needs to be given to the suggestions within supporting text at Para. 2.37 that small scale changes to the Green Belt boundaries where anomalies exist and a more appropriate defensible boundary can be set, can be made, especially where this includes previously developed land.

4.3 It is felt that the basis upon which such sites would be released for development is relatively clear, reinforced by the stance of the NPPF that this must result from a review of the LDF. If this is the intention then this requirement should be specifically written into Policy CS8, rather than being left to supporting text. The circumstances under which such a review would be warranted could also be more clearly stated.

4.4 The suggestion at Para. 4.20 that the relocation of employment uses to safeguarded sites, in order to facilitate redevelopment for alternative uses, where the case has been fully justified, also needs to clarify that this would require a review of the LDF, if indeed this is the suggestion.

**5.0 Summary and Conclusions**

5.1 Further to the above representations, and having regard to up to date policy within the NPPF, Lowerland (2004) Ltd. would confirm that the following policy changes to the Core Strategy are sought:

- To acknowledge the need and potential for small-scale Green Belt boundary reviews to reflect exceptional circumstances, within the Green Belt policy, in line with statements in supporting text at paragraph 2.37;
- To apply a more proactive and positive approach to employment development, recognising the importance of guarding against under-provision given the emergence of the Plan in the context of the recent recession, and applying the positive economic growth requirements of the NPPF. At the same time this will provide greater flexibility to adapt to changing circumstances, rather than relying solely on developments in other Boroughs delivering as required;
- To include policies relating to non-B Class employment uses and other forms of commercial development such as commercial leisure and hotel, within the context of national policy in the NPPF (Para. 23);
- To identify land adjoining the Key Employment site at Centennial Park, and Local Significant Employment Site at Lismirrane Industrial Park (including the Waterfront Business Park and McNicholas HQ), Elstree as a Strategic Development Location where a small-scale change to the Green Belt boundary would accord with the principles of the NPPF and provide an important opportunity for additional employment/commercial development. This would address an existing anomalous situation in this area, and would provide for a more appropriate long-term defensible Green Belt boundary in this part of the Borough.

**MC/12.614**  
**April 2012**