



**Hearing Statement**

**On behalf of:  
VMC Developments**

**Representor ID:147**

**In respect of:  
Lancaster Local Plan - Examination of the Lancaster District Strategic Policies  
& Land Allocations Development Plan Document and Development  
Management Development Plan Document Submission Drafts**

**Matter 4 and Matter 5**

**April 2019**

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## 1. INTRODUCTION

- 1.1 This Hearing Statement has been prepared in respect of the examination of the Lancaster Submission Version Part 1: Strategic Policies and Land Allocation Development Plan Document ('Local Plan Part 1'). It is submitted on behalf of VMC Developments Limited / Wrenman Homes Limited (Representor ID 147) by Knights plc. It supplements the representations previously submitted relating to policy EC2 and policy EN8.
- 1.2 This Statement is submitted in response to the questions in respect of the following matters as set out in the 'Inspector's Matters, Issues and Questions to the Council' (as updated 8 March 2019) (document ref. **EX5.1**):
- Matter 4: Economic Development.
  - Matter 5: Heritage and the Natural Environment.

## 2. MATTER 4: ECONOMIC DEVELOPMENT

### Introduction

- 2.1 The main issue identified by the Inspector in respect of Economic Development, as set out in document **EX5.1**, Inspector's Matters, Issues and Questions to the Council is:

*'Whether the Council's strategy for accommodating economic development is sound?'*

- 2.2 Our concerns relate in particular to Question (a) which reads:

*'Would the approach of Policies SP4, EC1, EC2, EC3, EC5, DOS4, DOS5, DOS9 and DM14 provide flexibility and choice for employment land within the District in line with the Employment Land Review?'*

- 2.3 We consider that policy EC2 does not provide sufficient choice in respect of land for employment development within the District. The Inspector asks whether the plan strategy for economic development is 'sound'. To be sound in accordance with the NPPF requires that the plan be '*positively prepared*' and '*justified*' and as asserted below we consider the Local Plan Part 1 is not sound in this respect. The reasons for our response are summarised below.

### The employment land requirement

- 2.4 Local Plan - Part 1 Policy EC2 - 'Future Employment Growth' sets out a proposed requirement of 46.2 hectares of employment land to meet needs over the plan period 2011 to 2031. We note however that the Council's Review of the Employment Land Position for Lancaster District, published January 2015 (document ref. **Em\_Elr\_02** and hitherto referred to as the 'Employment Land Review' or ELR) sets out baseline employment land requirements for Lancaster District of at least 49.5 hectares for the same period (see table 5.17 of the ELR).
- 2.5 We therefore consider that the Local Plan - Part 1 fails to meet identified needs for economic development in Lancaster. Progressing a strategy that does not meet the minimum need will adversely impact on the effectiveness of the economic strategy for the area. A further

employment site or sites of at least 3.3 hectares should be identified to meet employment land needs.

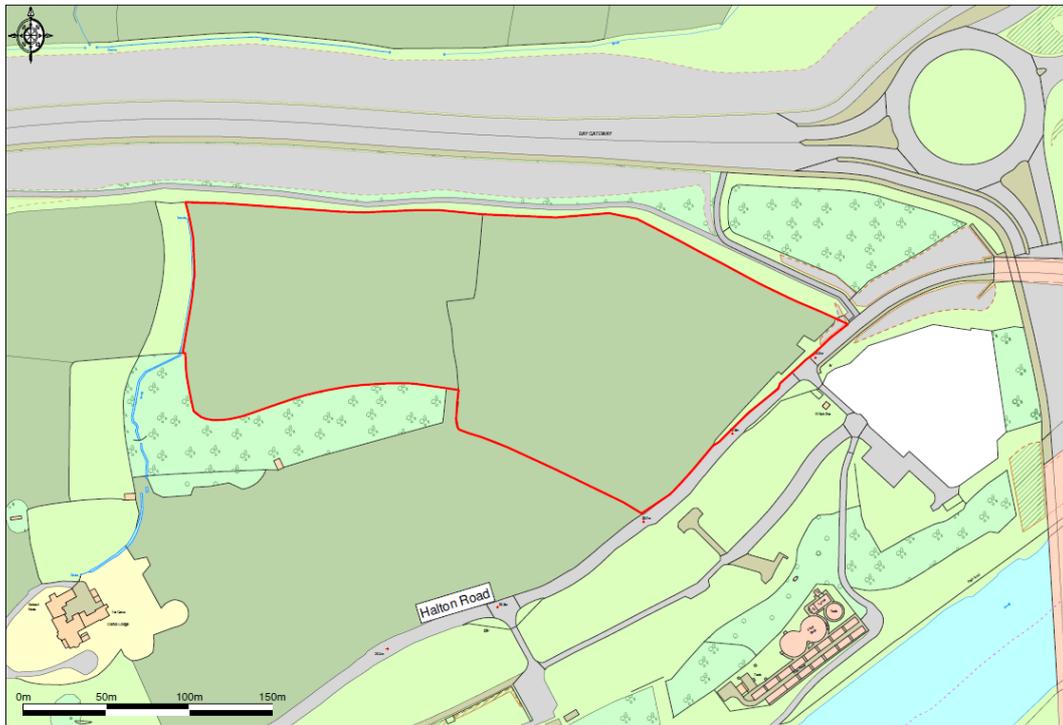
#### The proposed employment allocations

- 2.1 We note paragraph 7.12 of Local Plan - Part 1 states that *“to ensure that the levels of growth that are proposed within this Local Plan are delivered and to take account of prevailing market conditions, a range of greenfield sites will be needed for future development needs”*. Five sites are identified in Policy EC2 - Future Employment Growth. The Council states these sites seek to provide *‘a more flexible and balanced employment land portfolio’*. They range from 18 hectares at Heysham (site ref SG15) for *‘general employment growth’*, down to 2 hectares at North Lancaster Business Park (site ref. SG9) for *‘high-quality employment use’*.
- 2.2 Employment land can have a range of characteristics. It may comprise higher value sites suitable for class B1(a) ‘office use’ or class B1(b): ‘research and development use’. It may also however be lower value land suitable for Class B2 ‘general industrial use or B8 storage and distribution.
- 2.3 The Council’s ELR (document ref. **Em\_Elr\_02**) identifies a surplus of existing employment land suitable for Use Classes B1c/B2/B8. Conversely the ELR identifies a shortfall of land suitable for B1a/b uses of -1.3ha -3.5ha (see ELR, table 7.2). The surplus employment land however typically comprises sites used for open storage or other sites not attractive to B1a/b employment uses.
- 2.4 In respect of B1a/b uses we note the ELR conclusion (paragraph 7.25) states *“In qualitative terms, it is also important to note that some of the land identified to meet future office demand relates to land south of Lancaster identified for specialist use . . . the specialist nature of the emerging proposals would suggest that the site cannot be relied upon for meeting the general employment land needs. In view of this, and given the already sensitive balance between the supply and demand of B1 office land across the district, the Council should plan positively to address any further shortfall created as a result of this land not being available”*.
- 2.5 In line with the recommendations set out in the ELR the Council should allocate additional land suitable for B1a/b uses in Policy EC2 to improve the choice of sites across the District.
- 2.6 We therefore assert that in order to meet the area’s objectively assessed needs and be based on proportionate evidence the Local Plan - Part 1 should allocate at least 2.8 hectares of further new land suitable for class B1a/b employment use.

#### Land suitable for class B1(a) / class B1(b) employment use

- 2.1 The plan’s development strategy under Local Plan - Part 1 policy SP3 - ‘Development Strategy for Lancaster District’ *‘aims to meet the development needs of the district by promoting an urban-focused approach to development that is supplemented with additional large strategic development sites in greenfield locations that can be developed for housing and employment’*.

- 2.2 The representor controls the site identified at Appendix 1 to our representations and shown in outlined in red in Figure 1 below ('Land North of Halton Road'). The land extends to approximately 4.6 ha and as set out in our representations it is considered that this site would help meet the plan strategy and should be included in policy EC2 for Use Class B1 development.



*Figure 1 - Land North of Halton Road, Lancaster.*

- 2.3 The plan's strategy requires the allocation of further sites for B1a/b uses to meet the identified need and in terms of meeting the need for office accommodation. Paragraph 7.40 of the ELR confirms this need is best met on sites within close proximity to the M6. Halton Road connects with the M6 end of the A683 Bay Gateway Link Road and provides very direct access to the motorway at Junction 34. As set out in our previous representations the Halton Road site is ideally placed to release the potential development opportunities created by the construction of the Bay Gateway road, with its easy access to the strategic road network and a Park & Ride is also located in approximately 500m from the site, along with main bus routes close by, providing good connections with Lancaster City.
- 2.4 The Halton Road site is therefore ideally placed to assist specifically in relation to delivering opportunities for future office growth and growth in knowledge based industries, forming an important part of a balanced portfolio of employment sites in the Lancaster area. It would align well with the strategic objectives of the plan, as set out at SO1, helping secure a balanced portfolio of employment sites that ensures there is sufficient supply and range of locations available for job creation and economic growth and helping improve the employment mix focused on modern sectors.

- 2.5 The LPA's approach of protecting the Halton Road site from development is inconsistent with the planning strategy applied in respect of the adjacent areas of land to the west, also between Lancaster and the A683, which are seen as strategic development sites. These include employment site allocation SG9. This is shown indicatively on the Policies Map around 1.3km west and is referred to as a 2 hectares site for "*high-quality employment use, which takes advantage of the linkages with the new Bay Gateway Link Road*". This is clearly also potential that exists in respect of our client's site.
- 2.6 Furthermore, the strategic urban extensions at North and East Lancaster are very much housing-led, save for the 2 hectares of B1 employment land under SG9. The Land North of Halton Road can help balance these housing allocations and facilitate more sustainable communities.
- 2.7 We therefore consider the Local Plan - Part 1 should allocate the Halton Road site for class B1(a) / class B1(b) employment use.

Conclusions in respect of the Inspector's key issues regarding economic development

- 2.8 The Inspector asks whether the Council's strategy for accommodating economic development is sound and in particular whether flexibility and choice will be provided for employment land within the District in line with the Employment Land Review. We conclude that the Council's strategy for accommodating economic development does not provide sufficient flexibility and choice and does not accord with the evidence set out in the Employment Land Review. In accordance with the NPPF the plan should be positively prepared, justified, effective and consistent with national policy in order to be considered 'sound'.
- The plan is not '*positively prepared*' as this requires meeting the area's '*objectively assessed needs*'. As such the plan should allocate further land suitable for class B1(a) / class B1(b) employment use.
  - Similarly to be '*justified*' requires being '*based on proportionate evidence*', and to accord with the evidence set out in the Employment Land Review the plan should allocate further land suitable for class B1(a) / class B1(b) employment use.
  - To be '*justified*' also requires also requires '*an appropriate strategy, taking into account the reasonable alternatives*' and as such we consider that the Land North of Halton Road site is ideally placed to assist in delivering the LPA's overall strategy.
- 2.9 A modification to the plan should be made to Policy EC2 to include the Land North of Halton Road site as an employment land allocation in order to make the plan sound.
- 2.10 Our client has no comments to make in response to the other Matter 4 questions.

### 3. MATTER 5: HERITAGE AND THE NATURAL ENVIRONMENT

#### Introduction

- 3.1 The main issue identified by the Inspector in respect of Heritage and the Natural Environment, as set out in document **EX5.1**, Inspector's Matters, Issues and Questions to the Council is:

*Have the DPDs been prepared in accordance with the relevant statutory tests and the policies of the NPPF?*

- 3.2 Our concerns relate to Question (f). This reads:

*Can the Council clarify the justification for policies EN8, EN10, EN11 and SC2 (with regard to Freemans Wood, sites adjacent to the canal network, the River Lune, Over Kellet Craggs and the definition of extensive tract of land)?*

- 3.3 The hearing statement supplements our representations in respect of Policy EN8. This policy proposes an 'Area of Separation' to the north east of Lancaster which includes land controlled by the respondent as identified at Appendix 1 to our representations and shown in Figure 1 above.

#### Evidence base issues

- 3.4 The submission documents include a range of evidence studies and background papers. We have not however identified a specific evidence document relating to the proposed Area of Separation to the north east of Lancaster. Inspector's question (f) (set out above) asks whether the policies are 'justified'. In accordance with the NPPF, to be '*justified*' requires the plan to be '*based on proportionate evidence*'. We consider that this proposed Area of Separation has not been justified.

- 3.1 We also assert that there is no evidence that reasonable alternatives have been considered here. Background Paper 1 'Assessing the Reasonable Alternatives – Informing the Spatial Distribution of Development' says '*The Green Belt boundary has been amended to the north of Lancaster, between the urban fringes of Lancaster and the new Bay Gateway Link Road. There has been significant change in this area due to the construction of the new road which has radically altered the value of the Green Belt purposes in this area, leading to the Green Belt Review concluding low values for this area. The area has been identified for residential purposes under Policy SG9 of the Strategic Policies and Land Allocations DPD. Land to the east will be identified as an area of separation under Policy EN8 under the same DPD to ensure that a green gap is maintained between Lancaster and Halton.*

- 3.2 In accordance with the 2012 NPPF it is also required to be "*the most appropriate strategy when considered against the reasonable alternatives*". There is no indication here that the LPA has considered the reasonable alternatives to the Area of Separation for the land controlled by our client yet, in the light of our comments under Matter 4 above we consider this location is very well-placed to deliver additional B1 employment floorspace (as was concluded by the LPA in respect of the adjacent land to the west). We consider that this proposed Area of Separation has therefore not been justified.

### Effectiveness of the Area of Separation proposal

- 3.3 Our representations to the submitted DPD also questioned the effectiveness of the Area of Separation policy. The plan is required to be 'effective' and we assert that policy EN8 is misconceived with regard to the Land North of Halton Road and will not deliver its objective.
- 3.4 The policy explains that an Area of Separation is proposed between Lancaster and Halton to ensure that the strategic growth proposed to the north of the City via Policy (SG9: North Lancaster Strategic Site) does not result in Lancaster and Halton merging together. The location and boundaries of the proposed Area of Separation will not however achieve the objective of the policy and as a result the policy is not effective.
- 3.5 The M6 motorway runs in a north to south direction and provides a significant permanent topographical feature to the east of Lancaster. There is existing built development of the City of Lancaster that extends up to the M6 in a number of places. The eastward growth of Lancaster does not however extend beyond the M6 at any point. Indeed the Strategic Policies and Land Allocations DPD includes proposed development at East Lancaster (policy SG7: East Lancaster Strategic Site) that sits on land between the M6 and the City. As such, the plan proposes to further increase function that the M6 plays as a clear barrier to further eastward growth of the City.
- 3.6 The Area of Separation under policy EN8 has the stated aim to ensure that the growth planned to the north of the City does not result in Lancaster and Halton merging together. Halton is a village lying to the north-east of Lancaster, around 500m due east of the M6 motorway. As described in our previous representations, Halton is already clearly separated from Lancaster by the firm topographical feature of the M6, which along with junction 34 and the associated Park and Ride has a significant urbanising effect. Development already extends out along the north and south side of the River Lune and it is the countryside to the east, between the M6 and Halton that provides the sense of a green buffer between Lancaster and Halton.
- 3.7 The Area of Separation however is not proposed to the east of the M6 where it would sit between Lancaster and Halton, rather it is proposed between Lancaster and the A683 Bay Gateway road that runs to the north of the City. As such Policy EN8 would not provide a buffer separating Halton from Lancaster.
- 3.8 The reference in policy EN8 to the Area of Separation also serving to provide protection to the setting of Carus Lodge, a Listed Building is noted however there are other more suitable planning tools available for this purpose and this is not an appropriate justification for the policy EN8.
- 3.9 Policy SP3 states that, in allocating land for development, the Council have had regard to a number of constraints, but there is no reference here to the importance of the proposed Area of Separation.

### Conclusion

- 3.10 The Inspector's questions in respect of Matter 5 ask whether the plan has been prepared in accordance with the relevant statutory tests and the policies of the NPPF and in particular whether justification for the policies can be provided.
- 3.11 To be '*justified*' requires being '*based on proportionate evidence*'. We conclude that Policy EN8 not justified as it is not underpinned by the required evidence.
- 3.12 In accordance with the 2012 NPPF it is also required to be '*the most appropriate strategy when considered against the reasonable alternatives*'. We conclude that Policy EN8 not justified as the land is ideally suited to deliver additional B1 employment floorspace.
- 3.1 The plan is also required to be '*effective*'. This requires that the plan is '*deliverable*' and we assert that policy EN8 is misconceived and will not deliver separation between Lancaster and Halton. The proposed Area of Separation under policy EN8 does not sit between the city and Halton. Instead, it acts to separate part of Lancaster from the A683 Bay Gateway road that runs to the north of the City and a modification should be made to the plan and this land should not be included in an Area of Separation in order to make the plan '*sound*'.
- 3.2 Our client has no comments to make in response to the other Matter 5 questions.

**Knights plc**

**April 2019**