

**Matter 1 (Ref: 498035)**

**CHRISTCHURCH & EAST DORSET CORE STRATEGY  
HEARING STATEMENT FOR MATTER 1**

**ON BEHALF OF:**

**STOURBANK NURSERIES LTD**

**PREPARED BY:**

**Richard Cutler BSc (Hons) MSc MRICS MRTPI MBA**

**Partner  
Bloombridge LLP**

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**Submission Version**

This document includes a summary of the four key components of the overall case on behalf of Stourbank Nurseries. In this way, we are able to illustrate the lack of (a) engagement and (b) objective assessment undertaken by EDDC and, in turn, the consequences this has for the 'soundness' of the plan.

The four key components at the centre of our objections, and which build the case for 'unsoundness', comprise:

1. Lack of engagement during the preparation of the plan - eg no contact since 2010, despite the submission of a 22 page case on behalf Stourbank Nurseries.
2. Insufficient evidence - key issues on the Green Belt and the economy have not been objectively assessed.
3. As a result of (1) and (2) above - an unsound strategy.
4. Leading to our principal objection to the CS - that the CS is 'unsound' because Stourbank Park has been omitted from the employment allocations. Put another way, the CS:
  - a. Has **not been positively prepared** (with the economy or our representations in mind).
  - b. Is **unjustified** (because the Green Belt and ELR evidence is seriously deficient).
  - c. It will be **Ineffective** (because Blunt's Farm is a blunt mechanism to deliver the varied employment and economic development needs of East Dorset which, in any event, have not been properly assessed).
  - d. Is **not consistent with national policy**, notably paragraphs 7, 9, 14, 17, 18 to 21 and 28 (on positive plan-making, sustainable development and the role of the economy), paragraph 83 (no plan-wide Green Belt Review and no assessment at the site level of the intended permanence of Green Belt boundaries in the long term), and 155 (meaningful engagement and collaboration with business interests).

We are concerned at the lack of engagement. If EDDC has taken a similar approach to others as to us then the CS is unsound on this ground alone. This can be tested at the EIP. However, our principal area of focus for our objections, where we feel our case cannot be refuted, relates to the economic evidence. Bloombridge has very substantial experience in the delivery of jobs, inward investment and economic development – see the Appendix to this document. We have wanted to engage with EDDC in order to set a robust process for assessing the needs of the East Dorset economy and (then) a strategy based on, and justified by, these needs. We would have pointed to best practice in the preparation of ELRs and issues such as segmenting the employment needs of the district, planning for the rural economy, providing a flexible approach and a choice of sites, understanding the take-up rates of different types of employment land/need, and assessing the proposed employment allocations against the needs of the

district. This work has not been undertaken by EDDC and is not part of the evidence base for the CS.

We request that the Inspector modifies the CS (see Section 4 below) to provide for employment development at Stourbank Park. The evidence to do this (on Green Belt and employment grounds) is set out in *Stourbank Park, Wimborne: A Compelling Case* (May 2010). Further details follow.

## 1. Lack of Engagement

Paragraph 155 of the NPPF, but also Regulation 18(3), are relevant. We have received no response from EDDC to our *Compelling Case* submission (May 2010) and therefore no “early and meaningful engagement”, despite our best endeavours to be proactive. This means that we are uncertain on (a) the nature of the evidence that EDDC has brought to bear and (b) the assessment exercise undertaken on the allocation of employment sites. It seems that decisions have been made on the basis of subjective judgements rather than by an objective assessment of the evidence.

We are therefore of the view that the CS has not been positively prepared and it is not consistent with national policy. In support of this conclusion, we note Inspector Andrew Mead’s note of 31 August 2012 on the North London Waste Plan Examination which, whilst dealing with the duty to co-operate on strategic matters, contains common sense advice on what “engagement” means:

“To engage constructively, actively and on an ongoing basis... (paragraph 22)”

“Whether or not consultation of interested parties and the public is a legal requirement, if it is embarked upon it must be carried out properly” (paragraph 24)”

“It is reasonable to conclude that engagement as part of co-operation [or, in the case of para 155 “collaboration”] is more than the process of consultation outlined above (paragraph 25)”

Inspector Andrew Mead made use of the Concise Oxford Dictionary and, in a similar vein, we would suggest that there is a continuum of activity from, at the most basic level, consultation, which as an activity then becomes more pro-active and closer in relationship as you move from engage to co-operate and then to collaborate. Whilst paragraph 155 of the NPPF has not received much attention in the planning press or legal reviews, we note that it refers to “collaboration” which, we feel, is a higher order concept than, for example, “consultation”. We note, in addition, that paragraph 155 does not just suggest that engagement is useful or worthwhile but, in terms - “essential”. We are therefore not dealing with a trivial matter.

The lack of engagement we have experienced from EDDC is important. Whilst there is a procedural difference between the statutory duty to co-operate (Section 33A – ie law) and paragraph 155 of the NPPF (ie policy), the latter must be “taken into account” in the preparation of local plans (paragraph 2 of the NPPF). In our experience, EDDC has

fallen short. Even though this is not a legal compliance point, we are concerned that it goes to 'soundness'.

However, whether paragraph 155 can be held up as a basis for finding the whole plan unsound is not clear cut. If EDDC has dealt with every representation in the same way as we have been treated then there can be no doubt that the plan is unsound. We suspect this is not the case and, besides, we have no wish to hold up the whole plan making process. We therefore request that the Inspector deals with our objections in two ways:

- Either, by requiring EDDC to undertake a Strategic Green Belt Review and an ELR2 and ELR3 (as requested in our 22 June 2012 representations) before the plan proceeds any further;
- Or, simply through a modification that allocates Stourbank Nurseries as an employment site by taking 5 hectares from the very substantial 30 hectares proposed at Blunt's Farm (thereby providing choice and flexibility, together with a site at Stourbank that is well suited to SMEs and the rural economy).

Our preference is for the second EDDC option. The evidence is contained in our *Compelling Case* document.

## 2. Insufficient Evidence

The following key issues have not been objectively assessed:

- a. **The Green Belt** - No local Green Belt Review has been undertaken such that local landscape and visual impact issues have not been adequately assessed. This would inform the choice of sites and, in particular, *objectively* address: the need to fix long term defensible boundaries (at the local level); effects on narrow Green Belt gaps such as the Longham-Ferndown Gap (Coppins Nursery, para 10.29 of the CS); and the consequences of losing the forest facing on to the A31 or impact on SSSIs at Blunt's Farm (para 10.42 of the CS). Without a plan-wide Green Belt Review or, so far as East Dorset is concerned, a Character Assessment similar to the work undertaken by Macgregor Smith in 2003 for Christchurch (Background Paper 11, para 2.13), there is no evidence for EDDC to make judgements on an objective basis between the allocated sites and non-preferred options such as Stourbank Park. We are aware of East Dorset's Landscape Character Assessment (2008), which is not on the EIP website, but this is markedly different from the Christchurch Character Assessment which, at paragraph 1.1.1 provides a study brief covering sense of place, environmental quality and capacity for development: in short, a sound basis on which to commence a selective Green Belt Review. The East Dorset work is descriptive (not analytical – there are no conclusions) and apparently not focused on Green Belt issues (eg the policy framework on page 3 does not include PPS2). These are very serious procedural and substantive failings.

From a positive point of view, however, the East Dorset Landscape Character Assessment notes that Stourbank is “screened from view by intervening woodland” (page 42); which suggests a better, lower impact outcome for the Green Belt than Blunt’s Farm, or even housing sites such as West Parley.

To conclude on this issue, we are deeply troubled by EDDC’s reliance on the strategic work undertaken as part of the RSS. Much of this is now out of date or inadequate and, in any event, paragraph 83 of the NPPF makes it clear that the preparation or review of the Local Plan is the place to address the ‘exceptional circumstances’ test – this is a more detailed and localised assessment than the strategic exercise. The decision in *University of Bristol and North Somerset Council* (February 2013) illustrates the interplay between the local and strategic, for example from para 122 onwards: **address the need first (eg in the ELRs), undertake the Green Belt Review, then allocate sites based on clearly stated ‘exceptional circumstances’**. This is the sound way forward.

- b. **The Economy** - The ELR1 and Workspace Strategy 2012 only deal with quantitative issues (ie generic demand). That is not an effective approach, given the role of supply and the need to disaggregate demand (eg by size, type, location etc). One of the authors of the Workspace Strategy, Anne Gray (Principal Consultation & Research Officer at Dorset County Council), described the purpose of the 2012 revised evidence as “an empirical quantification of need, not a strategy for how it should be attributed” (email dated 22 June 2012, now issued to the Programme Officer). Put another way, the evidence is not in a form that can be used to make judgements on which sites should be allocated, for what uses, and how much should be allocated in each case (to match demand with supply over the plan period). In fact, best practice often advocates an over supply in aggregate in order to offer employers/investors a choice of location (and competition on rents and quality).

One of the points made in our representations submitted on 22 June 2012 (ie on Chapter 3 - Challenges, Vision & Strategic Objectives) is that East Dorset’s Economic Development Strategy needs to provide a segmented and targeted approach to employment development; on the basis that choice and flexibility for potential employers/investors are key criteria for successful employment development. This is much more than a simple **quantitative** assessment. We would suggest that EDDC has not complied with the approach set out in CLG’s *Employment Land Reviews: Guidance Note* (2004).

It is clear that a *positively prepared* plan, which is *justified* and *effective*, needs to take economic and employment issues way beyond quantitative issues and address **qualitative** issues. This is because employers come in many shapes and sizes such that the take up of space is very sensitive to locational criteria, size of units, neighbouring uses (clusters), price, lease obligations, access to markets/customers etc. In these terms, East Dorset’s Economic Growth Agenda needs to be targeted and market-orientated, and it

should be a leading and fundamental part of the CS. The ELR Stage 1 and Workplace Strategy just translate predicted demand into a generic quantum/allocation, as opposed to Stage 2 and Stage 3 ELRs which would also test that predicted demand is actually matched by take-up rates on the ground (on a park by park or use by use basis). See paras 1.4, 8.6 and 11 of the ELR. This omission is a fundamental failing of the CS, not least given the importance that national policy attributes to building a strong, competitive economy (para 18 et seq of the NPPF). Moreover, in a rural economy like East Dorset, paragraph 28 of the NPPF is particularly relevant as it encourages authorities to “support economic growth in rural areas”, “support the sustainable growth and expansion of all types of business and enterprise in rural areas” and “promote the development and diversification of agricultural and other land-based rural businesses”. EDDC’s evidence is too generic, and lacks the granularity, to distinguish between the case for the large format industrial and trading estate uses at Uddens and Ferndown, compared with the needs of SMEs and rural businesses, perhaps at Stourbank Park.

- c. **Implementation difficulties** - ie lack of deliverability. Our concerns here are set out in our Hearing Statement on Matter 12.

If the evidence (as illustrated above) is insufficient then it must follow that the strategy for the CS is either unsound or (by some measure of luck for EDDC) sound, but based on the wrong evidence. This is where the lack of engagement is relevant.

### 3. An Unsound Strategy

If there had been engagement then our proposals (both in terms of the economic evidence required by EDDC and also the site that we have suggested) could have been reviewed and objectively assessed; leading to a better outcome. We note that ‘fairness’ is not a criteria for ‘soundness’, but a failure to comply with paragraph 155 of the NPPF is not only **inconsistent with national** policy it is also poor planning. This is why we have no option but to request that a modification is made to the CS (as below). This may not make the CS sound, but it will remove our objections. This is also why we raised this matter at the Pre-EIP Meeting – in order still to give EDDC time to properly consider points we first put to Officers in May 2010.

Following the questions we asked at the pre-EIP meeting, and the direction we received then from the Inspector, we spoke immediately to Richard Henshaw at EDDC (who was in attendance). He said that the Green Belt Review is on the EIP website and in the Background Papers and that the ELR2 may now be available. **We have not been able to find these documents.**

We respectfully suggest that any Green Belt Review should have addressed the Green Belt from a district-wide perspective such that it informed the baseline evidence for decision making on the plan and strategy; and it should have been available to help decide upon the relative impacts of the various site allocations (both preferred and non-preferred). Our concern is that the/any Green Belt analysis has been undertaken

retrospectively to help reinforce decisions made rather than inform choices. The same conclusion appears to be relevant to the ELR2 and ELR3 – where, again, fundamental components of the evidence base were not available at the time that decisions on the overall strategy and site allocations were made. In these terms, **the CS is fundamentally unsound – the strategy and site allocations cannot be justified by the evidence because the evidence is not, or was not, available.** It follows that the CS has **not been positively prepared** and it will **not be effective.**

#### 4. Stourbank Park – An Omission from the Employment Allocations

In light of the above, and our full review of EDDC's evidence base, we remain convinced that there is a compelling case for the allocation of Stourbank Park. This will help promote a strong rural economy, it will solve a fairly difficult business issue for Stourbank Nurseries (ie the long term investment strategy for the site and glasshouses), it is likely to be an attractive location for local, small scale employers, entrepreneurs and start ups, and it will provide a useful counterbalance to the large scale (and very different) allocated sites at Uddens, Ferndown and the Airport.

In short, we are requesting modifications to the CS which:

- a. Remove Stourbank Nurseries from the Green Belt and/or
- b. Allocate the glasshouses for employment purposes.

In terms of the landowner's objectives, either of these two outcomes will assist the gradual diversification of the business (to include, for example, a farm shop and business units for SMEs), helping the nurseries business to grow and evolve, retaining the existing local employment, whilst also making it easier to plan for the long term maintenance and renewal of the c25,000 square metres of glasshouses, some of which are more than 40 years old.

This could be achieved by taking 5 ha from Blunt's Farm, still leaving a very major and very long term allocation of 25 hectares. We do not know how many years supply this will leave; because the ELR does not provide the evidence. We are not aware of any major take-up at Uddens or Ferndown in the last 5 years, but based on our experience with Arlington Securities (see the Appendix) we might suggest that a take-up rate at Blunt's Farm of 1 hectare per annum might be achievable (on a 10 year average). 'Losing' 5 hectares to Stourbank Park will therefore still ensure an over supply of employment land at Uddens and Ferndown for the plan period: hence, there is **no loss for the employment diversification gained.**

#### Conclusion

We have set out in this Hearing Statement why we consider the CS to be 'unsound'. We have also indicated that our objections can be removed by a modification that takes Stourbank Park out of the Green Belt, or allocates it as an employment site. A further (though non-preferred) outcome is for the land to be 'safeguarded' pending, for example,

the demonstration of employment need or the lack of progress with the deliverability of Blunt's Farm. A variation on this outcome is for the CS to build some flexibility into the employment strategy by making it clear that, say, 10 hectares (netted off the proposed allocations) will be consented during the plan period for local business parks on small scale, unallocated sites. The definition of exceptional circumstances in the CS could be amended accordingly.

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## APPENDIX: Relevant Employment & Economic Development Experience

As a general observation we feel it is worth noting that planning for the economy and employment is a specialist area where, given the typical focus on housing numbers and housing allocations at most EIPs, in consequence, best practice on economic development is often overlooked. In our opinion, this is a major failing of the planning system and it is a limiting factor on an authority's ability to plan for mixed-use sustainable development which is well-directed and realistic in terms of what the market and investors will bear.

Bloombridge is probably the UK-leader in the planning of business parks. We have not only planned the largest business parks in the country, when we were Main Board Directors of Arlington Securities (now Goldman), but probably achieved permissions for more business parks than anyone else – from Aberdeen (BP's HQ) to Solihull (Birmingham Business Park) and Bristol (Aztec West). Our experience and opinions should therefore carry weight in the EIP process.

Example projects in the last five years include:

- Silverstone Circuit, comprising 400,000 sq m of business and leisure space
- The McLaren Applied Technology Centre (30,000 sq m in the Green Belt)
- Oxford Technology Park (25,000 sq m taken out of the Green Belt)
- The Northern Gateway, Oxford (50,000 sq m taken out of the Green Belt)
- Uxbridge Business Park (8,000 sq m extension into the Green Belt)
- Eastside Locks, Birmingham (140,000 sq m regeneration project)

For all of these projects we have worked closely with agents and local planning authorities, often supplementing their ELRs with market appraisals and detailed economic assessments produced by specialist consultants such as SQW and Ramidus. SQW's work on Silverstone identified that the consent would deliver 8,400 jobs – and this strategy and statistic has been instrumental in making the case for RGF/LEP infrastructure funding. We respectfully suggest that East Dorset's approach falls a long way short of what other authorities have achieved – impacting on the effectiveness of the CS. To be clear, we consider that EDDC's approach is 'unsound'. It does not provide for exceptionally valuable rural employment assets, such as Stourbank Park. An example from the Oxford Green Belt that illustrates what could be achieved at Stourbank comprises: <http://www.wortonfarms.co.uk/business-park.html>. This contains a variety of small businesses along with rejuvenated rural activities such as livery and organic farming.

For further information on Bloombridge see: [www.bloombridge.com](http://www.bloombridge.com)