



**HARBOROUGH LOCAL PLAN 2011-31 EXAMINATION**

**HEARING STATEMENT – MATTER 8**

On behalf of:  
**Manor Oak Homes**

**Respondent ID: 7562**

Date:  
**September 2018**

Reference:  
**LR/00915/LP Examination Matter 8**



## **1.0 Introduction**

1.1 This statement is prepared on behalf of Manor Oak Homes in relation to Matter 8: Site Allocations. Under this matter, the Inspector asks the following questions regarding Policy K1: Land south and west of Priory Business Park, to which we respond below:

- Is there planning permission for a scheme on this site?
- Should the terms of the allocation policy reflect the terms of the planning permission?

## **2.0 Is there planning permission for a scheme on this site?**

2.1 Yes. The proposed allocation site benefits from an outline planning permission (Ref: 16/00286/OUT) granted in November 2016 for up to 11,368m<sup>2</sup> of commercial/industrial floorspace, up to 882m<sup>2</sup> of office floorspace and up to 294m<sup>2</sup> of retail floorspace.

2.2 A site wide phasing programme submitted pursuant to the outline permission was approved in October 2017 (Ref: 17/01724/PCD) and reserved matters consent for Phase 1 of the development was approved in November 2017 (Ref: 17/01998/REM) for 8,420m<sup>2</sup> of commercial/industrial floorspace. Development of Phase 1 is expected to commence in 2018/19 and plans are currently being worked up for the retail and office element of the proposal (Phase 2) with a planning application programmed for submission in Autumn 2018.

## **3.0 Should the terms of the allocation reflect the terms of the planning permission?**

3.1 Yes. Prior to the submission and approval of the outline planning application there were no proposals to allocate the site. The proposed allocation evolved following the planning permission having been granted. The planning application was approved in November 2016 and the first draft of the Plan to include an employment allocation on the site was the Regulation 19 publication in September 2017. The planning permission therefore preceded the proposed allocation by almost a year, and yet, there is deviation between it and the provisions of the policy, which could ultimately affect the development of the site as a whole. Given the chronology of events and the need to ensure the implementation of a viable scheme that meets local needs there is no justification for the Council to seek to influence the scale and scope of the proposed development as they propose.

3.2 In its current form, Manor Oak Homes has concerns regarding the following elements of the proposed policy and its supporting text:

- No provision is made for A1 retail floorspace; and
- Paragraph 17.2.5 seeks to restrict the size of the proposed B1b/B1c/B2 units.

### **Retail Floorspace**

- 3.3 The permitted scheme includes an element of retail floorspace, but despite this Policy K1 does not propose to allocate the site for any A1 retail use. Manor Oak Homes are therefore very concerned regarding the omission of retail use from the proposed policy as this could constrain the delivery of its consented development.
- 3.4 Manor Oak Homes' outline planning application was accompanied by a Retail Statement which includes a health check report of the Principal Shopping Area of the Kibworths and confirms that the centre is healthy, and able to withstand any minor impacts of the proposed store with no threat to the overall vitality or viability of the centre. The application was also supported by evidence from a Public Exhibition held to publicise the proposals at which local residents raised the limited provision of local shopping as an issue that needed resolving. In this context, and having granted permission, there is no justification for the Council to seek to restrict the approved retail uses and we assume the absence of any reference to A1 use in the policy is simply an oversight.
- 3.5 Draft Policy RT2 – Town and Local Centres requires a sequential test for the development of main town centre uses outside town centres and an impact assessment for development of town centre uses of, or in excess of, 500m<sup>2</sup> gross floorspace. In this context, we do not consider it necessary for Policy K1 to restrict the allocated retail floorspace as this will be effectively controlled through the development management process and would enable flexibility in the delivery of retail floorspace on the site to meet local needs and those of operators.

### **Size of Units**

- 3.6 The supporting text to the policy at paragraph 17.2.5 states that the allocation is for the "*Provision of approximately 12,500sq.m of business floorspace in units ranging from 48sq.m to 140sq.m*". The size of the units specified in this paragraph is not in accordance with the permitted scheme and would not result in a deliverable, viable development that meets the needs of the market:
- The outline scheme, although indicative, proposed 28 No. B1b/B1c/B2 units totalling up to 11,375m<sup>2</sup> and ranging from 100m<sup>2</sup> to circa 900m<sup>2</sup> and the approved reserved matters layout for Phase 1 shows 28 units totalling 8,420m<sup>2</sup> and ranging from 101m<sup>2</sup> to 930m<sup>2</sup>.
  - The outline planning application on the site was supported by an Industrial Market Overview produced by Wells McFarlane which demonstrates that the most popular size for industrial units in

the area is between 111m<sup>2</sup> and 279m<sup>2</sup>. In addition to this, evidence was submitted from a business based at Priory Business Park, demonstrating a specific need for larger units. The approved mix of dwellings has been designed to meet these needs and therefore represents a deliverable and viable form of development for which there is sufficient demand in the local economy. By comparison, the proposed policy requirement would require in excess of 100 units ranging from 48m<sup>2</sup> to 140m<sup>2</sup> to achieve 12,500m<sup>2</sup> floorspace. There is quite simply insufficient demand in the local economy to justify the provision of this number of smaller units. We therefore request that the policy is amended to reflect the range of unit sizes approved under the reserved matters for Phase 1.

#### **4.0 Changes Proposed**

4.1 For the reasons set out above, Policy K1 has been positively prepared, is not justified and will not be effective in securing the viable development of the site. The following changes are required:

- Amend Policy K1, point 1. to read:

*"1. The area of land south and west of Priory Business Park, Kibworth Harcourt, as shown on the Policies Map, is allocated for a mix of business, ~~and~~ light industrial and retail development (Use Classes A1, B1a, B1b, B1c, B2)."*

- Amend the supporting text at paragraph 17.2.5 to read:

*"17.2.5 The site is allocated for a mix of A1, B1a, B1b, B1c /B2 uses totalling approximately 12,500sq.m. with B1c/B2 uses expected to predominate. Commercial units will range from approximately 100-1,000m<sup>2</sup> in size. ~~Provision of approximately 12,500sq.m of business floorspace in units ranging from 48sq.m to 140sq.m within a developable area of approximately 5.7 hectares is envisaged to meet market demand. Ideally units will be flexible in size with the potential for neighbouring units to be joined together to cater for the needs of starter and expanding businesses.~~"*