

RAPLEYS

Hearing Statement for
Rapleys LLP on behalf of
Associated British Foods Plc

THE EAST LINDSEY SETTLEMENT PROPOSALS DPD EXAMINATION MATTER 1



September 2017
Our Ref: WH/622/15/1

THE EAST LINDSEY SETTLEMENT PROPOSALS DPD EXAMINATION MATTER 1 - HEARING STATEMENT
RAPLEYS ON BEHALF OF ASSOCIATED BRITISH FOODS PLC

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1 INTRODUCTION

- 1.1 This Hearing Statement has been prepared on behalf of Associated British Foods plc ('ABF') in response to the Examination Matter 1.
- 1.2 ABF is the freehold owner of the former Fisher's Seeds site, extending to 2.6ha, and Zanith House adjoining that site, extending to 0.2ha, located on North Holme Road, within Fairfield Industrial Estate in Louth. Both sites ('the Site') relate to this Hearing Statement. The former Fisher's Seeds site was previously used for agro-industrial purposes, which became redundant and subsequently cleared in 2009. The Council's Employment Sites Assessment 2016 incorrectly states at paragraph 9.13 that the site area of the Former Fisher's Seed site is 1.6ha - the correct site area is 2.6ha.
- 1.3 ABF participated in the Core Strategy Examination Hearing Session for Matter 13. It was acknowledged by the Council that its evidence base for the designation of employment land was deficient. Furthermore, the Plan as a whole does not address how an identified need for additional retail floorspace demonstrated within the evidence base is met, which is not consistent with the National Planning Policy Framework ('NPPF'). During the hearing session on Matter 13, we expressed our view that, for the soundness of the Plan, the Site should be allocated for retail or mixed use development. As site specific allocations are dealt with in the Settlement Proposals, we seek to reiterate our position on this particular point in this Statement.
- 1.4 Accordingly, this Statement responds to the Inspector's Questions 1 of Matter 1 about allocations/designations relating to employment floorspace and convenience and comparison retail floorspace in Louth.

2 **QUESTION 1: OTHER THAN FOR HOUSING, DOES THE SETTLEMENT PROPOSALS DPD ALLOCATE/DESIGNATE ALL OF THE USES REQUIRED BY THE CORE STRATEGY? ARE ALL THE ALLOCATIONS AND DESIGNATIONS EXPRESSED ON THE POLICIES MAP? THE COUNCIL SHOULD PREPARE A TABLE TO SUMMARISE THE USES REQUIRED BY THE CORE STRATEGY AND WHERE THESE ARE ALLOCATED/DESIGNATED IN THE SETTLEMENT PROPOSALS DPD. THIS INCLUDES: EMPLOYMENT FLOORSPACE AND CONVENIENCE AND COMPARISON RETAIL FLOORSPACE.**

- 2.1 The Settlement Proposals DPD identifies "Existing Employment Land". At the hearing session on Matter 13 of the Core Strategy Examination, the Council acknowledged that evidence base for the EEL designation is deficient. Notwithstanding that an early review of the Core Strategy to address this issue has been suggested, we consider that there is sufficient evidence for the Site to be de-designated from the Existing Employment Land for an allocation, as detailed in our hearing statement for Matter 13 of the Core Strategy Examination. To reiterate, the former Fisher's Seed site has been vacant for a considerable length of time. Despite the marketing campaign, there was no meaningful interest expressed or serious offer made for B1, B2 and B8 use, which resulted in a bid being made during the marketing campaign. The Council's evidence also indicates that Classes B1 and B2 floorspace are projected to grow in East Lindsey or any particular towns including Louth. The sectors which show some trends in growth include wholesale & retail and construction, admin and support, which do not fall under Classes B1 and B2 uses. Therefore, based on the evidence available, there is no justification for the continued designation of the Site as the Existing Employment Land. We therefore consider that the Site should be allocated for development which addresses the identified development needs of the District.

- 2.2 As demonstrated in our Hearing Statement, the former Fisher's Seed site lends itself to a wide range of uses, particularly retail and trade counter as evidenced by interests received by retail specialists and developers during the marketing campaign.
- 2.3 At paragraph 8 of Chapter 7 of the Core Strategy Submissions Modification Draft, it identifies that the capacity for convenience and comparison floorspace in Louth is expected to increase by 691.sqm (net) and 3,719sq.m (net) by 2028 respectively. It is notable that there is no assessment of retail needs for the whole plan period up to 2031, which means that there is likely to be an additional retail floorspace requirement within the plan period that is not planned for in the current Core Strategy/Settlement Proposals DPD. In addition, the capacity identified in the Core Strategy is not consistent with the floorspace projections set out in the East Lindsey Retail and Economic Assessment 2014 Update ('2014 Update'). With regard to Louth, taking into account a need which has been met up to 2018, there should be circa 940sq.m (net) /1,350 sq.m (gross) of convenience floorspace need up to 2028.
- 2.4 In addition, the 2014 Review identified deficiencies in the retail provision for Louth relative to main food shopping needs and bulky goods retail warehouse provisions.
- 2.5 The Core Strategy and the Settlement Proposals DPD do not seek to meet both the identified quantitative and qualitative needs, as there is no allocation for retail development to accommodate the identified needs in Louth. The 2014 Update suggests that existing shops in the town centre have a role to play in accommodating growth and estimates that approximately 1,400q.m (gross) vacant floorspace in the Louth Town Centre has the potential to be re-occupied. It should be noted that this includes Class A2 and A5 uses which are not included in the Class A1 retail floorspace need. This suggests that the vacant floorspace in the Louth Town Centre falls far short of the identified retail floorspace need. There is no evidence that there is sufficient capacity within the town centre to accommodate the need, which was acknowledged by the Council during the Hearing Session on Matter 13.
- 2.6 Paragraph 23 of the NPPF states that local planning authorities should allocate a range of suitable sites to meet the scale and type of retail development needed and stresses the importance of meeting the needs in full. We consider that the Settlement Proposals DPD for Louth is unsound as it does not seek to meet the identified retail development need in full, and safeguards the Site as the Existing Employment Land without robust evidence. The Settlement Proposals DPD should consider the suitability of the Fisher's Seeds Site for meeting the retail needs as it is well connected and within walking distance to the town centre. In particular, it is considered that the Site lends itself to comparison goods retailing (including bulky goods), as there are existing bulky goods retailer (B&Q and Halfords) in close proximity to the site on North Holme Road, which means that the Site would facilitate linked trips.

3 CONCLUSION

- 3.1 For the soundness of the Plan, the Settlement Proposals DPD should allocate the Site for retail development or mixed use development for employment generating uses including retail, in order to meet the identified development needs in full as required by the NPPF. There is no evidence for the continued designation of the Site as the Existing Employment Land.

Appendix 1

SITE LOCATION PLAN



SITE LOCATION PLAN
 North Holme Road,
 LOUTH LN11.

Scale @ A3 : 1:1250

Plan No. : 622/15/1_SLP01



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