

REPORT OF THE ASSISTANT DIRECTOR (PLANNING AND COMMUNITY STRATEGY)
TO THE EXECUTIVE
5 MAY 2006

Swindon Borough Local Plan 2011 Proposed Modifications

1.0 Introductions and Summary

- 1.1 Swindon Borough Local Plan proposed modifications were published 22 February with any comments requested by 5 April. In order to meet this timetable, objections to a number of the modifications were duly submitted by officers on the basis that when the Executive had considered the relevant modifications, any additional views would be forwarded to Swindon Borough.
- 1.2 The objections submitted by the officers related to the proposed modifications to designate a new 25 ha area for employment land to the east of the A419 and south of the A420. In summary, the objections were on the grounds that this additional area of employment land;
- a) would result in an over-supply of employment land in the local plan period,
 - b) would pre-empt and prejudice the Regional Spatial Strategy, which is the proper context through which development east of Swindon should be progressed, and
 - c) that the way in which the designation has been formulated is not easily understood, lacks certainty and does not demonstrate how the strategy of the local plan will be implemented in practical terms.

2.0 Recommendation.

- 2.1 *That the Executive considers the report's conclusions in section 8 and, subject to any additional comments that the Executive may wish to make, confirms these conclusions as the Vale Council's objections to the Swindon Borough Local Plan 2011 Proposed Modifications.*

3.0 Relationship with the Council's Vision, Strategies and Policies

- 3.1 This report supports Strands A, B, D, F and G of the Council's Vision Statement and does not conflict with any existing Council policies or strategies.

4.0 The Swindon Borough Local Plan 2011 Proposed Modifications – Land east of the A419, south of A420.

- 4.1 The proposed designation of additional employment land to the east of A419 and south of the A420 is linked to a number of the proposed modifications to the Swindon Borough Local Plan (SBLP). These have been put forward by the Borough Council in response to the SBLP Inspector's Report (IR). The proposed modifications are considered in more detail below and the relevant extracts have been included in Appendix A (The relevant modification numbers are given in the right hand column of the Appendix). The proposed modifications which cause your officers concern are as follows;
- 4.2 MOD 237
This is a new paragraph after SBLP paragraph 4.4.3. This includes a specific reference to an employment allocation east of A419/south of A420. This is considered in more detail below

under the heading 'Employment Land Supply'.

4.3 MOD 278

This is a new policy E9 which allocates a 25 ha area of land east of A419 and south of A420 for employment uses. This is considered in more detail below under the heading 'Eastern Development Area'. Related comments from the Borough Council's schedule also have implications for the allocation/designation of this area and these are amplified in the relevant section below.

4.4 MOD 249

This refers specifically to the modification of the proposals map Urban Area Inset to include a designation to denote an 'Area of Search' for the freestanding 25 ha employment allocation in new policy E9. This is considered in more detail below under the heading 'Allocation/Designation'

5. **Employment Land Supply**

- 5.1 In the SBLP, it is made clear that the context for employment land supply is the Wiltshire Structure Plan 2011 (WSP) quantum of approximately 260 ha (para 4.4.6). The SBLP notes the phrasing in the WSP of "about 260 ha" and the SBLP allocates sufficient employment land to meet the quantum (MOD 243, revised para 4.4.7). In fact the SBLP allocates some 17 ha more than the required WSP quantum.
- 5.2 In this context the SBLP includes firstly, new policy E2 (MOD 239) which covers large inward investment proposals. In this context the Inspector notes that large scale investments such as Honda or Motorola are unlikely, but that the regional plan policy EC4 to provide for major strategic sites should be reflected in the SBLP in policy terms (IR Chap 4 para. 1.9). New policy E2 is not site specific but it is welcoming and sets out criteria against which proposals can be considered favourably.
- 5.3 Secondly, new policy E3 (MOD 245) is included to provide a range of new sites to reflect the WSP requirement of 260 ha. New policy E3 again is not site specific. It links provision of sites to the WSP quantum of employment land in general terms.
- 5.4 Thirdly, new policy E9 (MOD 278) allocates 25 ha of employment land to the east of A419 and south of A420. The details of the actual allocation is considered in the section below.
- 5.5 Given that the SBLP allocates more than the WSP quantum and given that under proposed policy E2, a large investment proposal providing even more employment land could be permitted, the SBLP policies are likely to result in an over supply of employment land. This could mean that the WSP employment land quantum could be significantly exceeded. This would be in conflict with new policy E3 and the Inspector's comments that "it is right that this Plan adopts the 2011 WSP employment land requirement..." (IR Chap 4 para 1.3).
- 5.6 Your officers have therefore lodged an objection to the over supply of employment land which is likely to be created by the new allocation E9 in combination with new policies E2 and E3.

6. **Eastern Development Area**

- 6.1 In allocating land east of A419 and south of A420, part of what is commonly known as the Eastern Development Area, new policy E9 (MOD 278) acknowledges that the direction of the Strategic Development Area "is to be confirmed in the approved Regional Spatial Strategy". The proposed new paragraph after policy E9 in the SBLP also states explicitly "the allocation of this 25 hectares of employment land pre-empt's" any recommendations in the Regional Spatial Strategy (MOD 279).
- 6.2 Given that the SBLP is being prepared under the old development plan system, ie in general conformity with the WSP, your officers have objected to the allocation of land in an old style

local plan on the basis of what may (or may not) be contained in a new style Regional Spatial Strategy (RSS) on the grounds that this is not a sound basis for the preparation of the SBLP. The Regional Spatial Strategy has yet to be approved by Government and it is premature to make decisions at this stage, pre-empting its outcome.

- 6.3 Notwithstanding this objection, should the Eastern Development Area be confirmed through the preparation of the RSS, then this objection to the proposed employment allocation is maintained because the allocation prejudices the comprehensive approach and proper master-planning of this Eastern Development Area which should take place once this has been confirmed in the RSS.

7. Allocation/Designation

- 7.1 With regard to the area designated for employment (MOD 249) there are a number of related objections.
- 7.2 Firstly, in new policy E9 a 25 ha area of land is allocated for employment uses (MOD 278) while MOD 249 is to include a designation on the Urban Area Inset to denote an 'Area of Search' for the 25 ha employment allocation. It is estimated that the area of search totals some 50ha.
- 7.3 This raises the obvious point that an 'allocation' is not the same as an 'area of search' and that an area of search of some 50ha does not show a 25 ha area that has been allocated. These discrepancies would not seem to be consistent with the general advice that local plans should create certainty for both developers and the local communities. It is noted that the Inspector also took the view that the employment site should be 25 ha and that with regard to the precise boundaries of the land to be allocated, he would leave that to the Council (IR Chap 4, para 8.24). There is no precision in the definition/allocation of " an area of search".
- 7.4 Secondly, MOD 249 shows the area of search on the Urban Area Inset. The scale makes detailed assessment difficult but, given the existing junction arrangements on the A419 to the north west, vehicular access to the area of search would appear to be required from the A420. No details are given as to how an appropriate vehicular access may be achieved and while policy E9 d) requires a Transport Assessment, this is likely to focus on traffic generation and impact and it does not directly address the issue of the feasibility of the formation of the new road junction onto the A420.
- 7.5 Thirdly, MOD 278 confirms that planning permission for employment land will not be granted in advance of approval of a masterplan. The relevant 'decisions by the LPA' comments that the delineation of a specific 25 ha site is "considered premature and inappropriate" but, see objection above, the SBLP refers to a 25ha allocation. In the context of an allocation, there would seem to be little purpose in such a delineation if planning permission will only be given after the preparation of a masterplan which might conclude that the location of employment land should be elsewhere within the Eastern Development Area..
- 7.6 Your officers have therefore objected to this approach to the formulation of a proposal on the grounds that it is not easily understood, lacks certainty and does not demonstrate how the strategy of the plan will be implemented in practical terms.

8. Conclusions

- 8.1 The proposed modifications which relate to the designation of a new 25 ha area for employment land to the east of the A419 and south of the A420 have been addressed in the sections above. In the light of the issues involved, objections have been made to these proposed modifications as follows;
- a) To proposed modification MOD 237 on the grounds set out in section 5 above,

- b) To proposed modification MOD 278 on the grounds set out in section 6 above,
- c) To proposed modification MOD 249 on the grounds set out in section 7 above,

9. Glossary

IR	Swindon Borough Local Plan 2011 Inspector's Report
RSS	Regional Spatial Strategy
SBLP	Swindon Borough Local Plan 2011
WSP	Wiltshire Structure Plan 2011

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Background Papers :

Appendix A (attached) contains the relevant extracts from the Swindon Borough Local Plan 2011 Proposed Modifications.

For further information, contact Principal Planning Officer Nick Burroughs, extension 496.