

13 November 2012

Bridgend LDP: Further Representations to Respond to Inspector's Questions (Rebuttal Statement)

Island Farm

Prepared for:

HD Ltd

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1. Introduction

- 1.1 Savills, on behalf of HD Ltd, have been instructed to submit rebuttal comments in response to the further representations made by the Council and other parties in relation to Local Development Plan (LDP) Hearing Session 5 on Island Farm.
- 1.2 Having now had an opportunity to see other parties' comments, we provide our comments within the table below. The concerns raised by others appear to predominantly concern the risk that alternative uses (i.e. residential uses) are, or will be, pursued on the site. We wish to reiterate that this is factually incorrect as HD Ltd have not, and do not intend to, promote uses other than those shown on the illustrative layout approved as part of the planning application.
- 1.3 To clarify therefore, the purpose of the representations we have made / are making on the LDP is simple:
- The site is not needed for strategic employment land – the site, despite benefitting from an employment allocation in the Unitary Development Plan (UDP), has not been delivered for this use previously and is not expected to be. Bridgend County Borough Council (BCBC) have recognised this by virtue of granting planning permission for the mixed use project.
 - The site benefits from a recently granted planning permission for a mix of uses with a focus around sports, leisure and employment uses. The LDP allocation ought to reflect these uses. We have not suggested that residential uses form part of the mixed use allocations nor are we seeking to do so.

2. Rebuttal Comments

Author	Comment (summarised / paraphrased)	HD Ltd Response
<p>Bridgend County Borough Council</p>	<p>BCBC considers that the strategic employment allocation should be maintained to provide strategic employment opportunity should the mixed-use proposal not be delivered (Qn1c).</p> <p>BCBC suggests that there are inherent risks in reflecting the approved scheme in the LDP in terms of deliverability and additional loss of greenfield land to alternatives uses, such as housing, that have not been properly justified and consulted upon though the LDP process (Qn1g).</p>	<p>There is no evidence that the mixed use proposals (as per the extant permission) will not be delivered.</p> <p>The fact that BCBC granted this planning permission indicates that BCBC have accepted that there is no need for the proposed 11ha of employment land. HD Ltd's proposed form of development does propose a variation on this allocation (i.e. 6.56 ha extension to the existing science park), which whilst an important contribution, is not considered significant enough to merit its proposed allocation under SP9.</p> <p>In any event, it is important to reiterate that of the 26ha proposed employment allocation under SP9(2), only 11ha is available for employment due to the constraints posed by the SINC designation. A large proportion of the SP9 site allocation will therefore never come forward for employment development.</p> <p>HD Ltd are extremely committed to the permitted scheme (rather than any alternative) and as outlined in HD Ltd's further submissions (dated 6 November 2012 – paragraph 1.4), intend on submitting Reserved Matter applications and applications to discharge conditions in early 2013. As reiterated below, there is, and has not previously been, any intention to seek permission for residential use on the site.</p>

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	Seeking confirmation on settlement boundary limits (Qn1f).	As outlined in HD Ltd's further submissions (dated 6 November 2012 – paragraph 2.12), we recommend that the whole site up to New Inn Road is included in the settlement boundary as the uses are part of a sports-led regeneration scheme which benefits the town. The settlement boundary should, therefore, be contiguous.
	If the site is allocated under Policy PLA3, uses should be restricted to those detailed in the permission. The Council would question the need for housing as part of the mixed use development, as this does not form part of the permission (Qn1g).	HD Ltd agree with BCBC on this point. Residential use is not (and has never been) included as part of the mixed use development. Please refer to paragraphs 2.13 – 2.14 of HD Ltd's submissions on 6 November 2012 further the suggested description of the site / proposals.
	PLA3 would have to include a new allocation and SP9 amended. There would be a need for a stand-alone site specific policy to reflect unique nature of proposals. However this would be at risk of delivery if there are viability problems.	There is no need for a new stand-alone policy as the proposals are for mixed use development which accords with Policy PLA3.
	Road access (Qn2) – BCBC confirm that the road access approved under the 2008 application was the subject of an extensive Transport Assessment and rigorous analysis by consultants engaged by the Council. This included the need for a secondary access. BCBC confirm their support for the proposed link road.	HD Ltd agree – there was detailed consideration of the access during the application stage.
	Clarification on the 'expanded allocation site' access.	It appears that there is some misinterpretation here. Our understanding of the Inspector's Question was that the 'expanded allocation site' referred to the difference between the proposed allocated site and the application site. There are no speculative expansion proposals or alternative uses proposed at Island Farm.

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	The inclusion of the Site of Importance for Nature Conservation (SINC) within the allocation is important to make it clear that its retention and management directly relates to the development of the site.	If the Inspector considers the SINC should be highlighted on the allocation then we do not object.
Countryside Council for Wales	The introduction of residential use as part of a mixed use allocation.	<p>This is not the case. Residential use has never formed part of the applicant's proposals at Island Farm and was not included as part of the application for development and is not included in the extant planning permission on the site. .</p> <p>Since sight of CCW's further comments, Savills have spoken directly with CCW (Karen Maddock-Jones) to clarify their comments. The extant permission reflects CCW's input into the project during the application process – that is, they did not object to the proposed development.</p>
Bridgend Town Council	The current status of the site is a conditional planning permission with a Section 106 Agreement yet to be discharged in fundamental ways (paragraph 1.2a)	This is incorrect – the Section 106 has now been signed and planning permission granted.
	Bridgend Town Council (BTC) consider that the PLA3 strategic approach of the Local Planning Authority could be made unsound if the 'mixed' use allocation is agreed at Island Farm without compensatory reductions elsewhere in the County Borough.	<p>HD Ltd request that the mixed use allocation accords with the planning permission granted – and so are happy to agree on the mix of uses on this basis.</p> <p>It is unclear what BTC mean by 'compensatory reductions'.</p>
	HD Ltd will pursue alternative land uses (i.e. housing) and employment uses are subordinate.	This is factually incorrect.
	The site should not be allocated under PLA3 as it 'would deflect the strategic approach of BCBC and destabilise the soundness of the LDP'.	It is contested that the change in policy under which the allocation is proposed will not result in any significant concerns with respect to the soundness of the LDP. Rather, the change seeks to improve the plan.

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	<p>The wording in paragraph 3.3.37 of the LDP is amended to include the mitigation of residential and environmental amenity of the local residents.</p>	<p>These impacts and potential mitigation measures have already been fully considered during the application process and can be considered further once detailed design of the new access is submitted for consideration in 2013.</p>
	<p>Merthyr Mawr Community Council (MMCC) suggest that the HD Ltd has indicated that the Island Farm project is 'low on his list of priorities' (1B).</p>	<p>As outlined above and previously, this is not the case. HD Ltd has an excellent track record of delivering development and is currently committed to a number of regeneration schemes in Bridgend Town Centre. It is expected that this development in the town centre will continue to progress alongside, and be complementary to development at Island Farm. Indeed, HD Ltd's numerous town centre regeneration schemes have been introduced specifically for the Island Farm development. .</p>
<p>Merthyr Mawr Community Council</p>	<p>Financial viability and demand points (Qn1b)</p>	<p>It is not a planning issue to discuss viability and this was explained to MMCC very clearly during the application stage. It is therefore disappointing that MMCC have again raised these points.</p>
	<p>The Settlement Boundary should follow the boundary envisaged by the UDP Inspector.</p>	<p>In light of the extant planning permission on the site which includes land up to New Inn Road, it is considered appropriate to extent the settlement boundary in accordance with the approved masterplan.</p>
	<p>Access comments</p>	<p>See above – the road access was approved under the 2008 application was the subject of an extensive TA and rigorous analysis by consultants engaged by the Council.</p>
	<p>HD Ltd has failed to present any evidence or argument that would justify the mixed use allocation.</p>	<p>The acceptability of the mixed use proposals was considered in detail during the application. The application documentation and decision notice provides this evidence.</p>

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Island Farm Campaign for Action	The Island Farm Campaign for Action (IFCA) query the need to amend the LDP and speculate that this is to develop the land as alternative use.	The need for the LDP to accord with the planning history relates to consistent and good planning. As above, it is unfair and inappropriate that IFCA continue to refer to alternative uses.
	IFCA query the commitment and interest of sporting and leisure business.	As above, viability is not a planning issue. However, as outlined previously, HD Ltd has received interest from such businesses and continues to be discussions with potential occupiers. BCBC, as planning authority, are satisfied with the scheme.
	Road access comments	The Section 106 has been signed and includes a package of highway improvements.
Residents of Island Farm Close	Road access comments	As above – permission is granted for the new road.