

## Examination of the East Cambridgeshire Local Plan (2016-2036)

Representor IDs1144105 & 1061506

Matter 9 – Building a strong, competitive economy  
Matter 15 – Proposed site allocations – Large Villages: SUT.E1

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## 1. Introduction

This Statement has been produced by Cheffins Planning on behalf of TM Trustees Ltd which owns potential employment/industrial land in the district of East Cambridgeshire and Cheffins as an occupier of the landholding. TM Trustees Ltd has responded to the draft Local Plan consultation in November 2017 and wishes to add to those representations via this Hearing. It should be noted that there is no available response by the Council to any local plan representations that have been duly made other than them being noted in the Council's Site Assessment Report. The views of the Local Planning Authority, in response, are therefore unknown at present.

## 2. Inspector's Questions

This Statement is concerned with four matters listed by the Inspector as Questions 31, 32, 33 and 61:

- 31 Is the approach set out in Policy LP8 effective, particularly in terms of flexibility and is it justified and consistent with national policy? Does the policy satisfy Paragraph 154 of the Framework? In particular, is the terminology clear?
- 32 Is the policy overly restrictive and how will it be implemented?
- 33 With reference to new employment development in the countryside what is meant by the phrase 'built framework of a settlement'? what is the basis and justification for the definition of small scale development at less than 500 square metres? How does the policy relate to conversions and is the policy consistent with national policy?
- 61 Whether the proposed site allocations for the Large Villages of (inter alia) Sutton are justified, effective and consistent with national policy?

## 3. Context of Sutton Sale Ground

3.1 In the mid 1990's Cheffins Auctioneers leased the property and developed a new Sale Ground on the site of part of a former airfield (RAF Mepal) and its agricultural auction business was then relocated to Sutton from Cambridge. Planning permission was granted in 1995 for an 'Auction complex together with ancillary buildings (part office)' (Ref: 94/00892/FUL) – this is a sui generis use.

3.2 The site covers a gross area of approximately 16ha (40 acres) and comprises:

- Extensive open areas of securely fenced land used for the storage and display of agricultural machinery, vehicles and plant;
- Extensive areas of land (all hardstanding) used for customer car parking and commercial vehicle parking;
- Significant areas of other hardstandings and an internal site road network;
- A main building complex housing reception, office, storage, staff welfare and indoor auction area;
- Loading and unloading facilities;
- Various temporary refreshment & toilet facilities;
- Covered structures for outdoor 'drive-through' auctions; and
- Some residual areas of open undeveloped land.

3.3 The tenants of the site host a number of regular machinery auctions (monthly) for the agricultural sector but it is also a base for major vintage auctions which attract a much wider audience including the general public. Much of the site business relates to the sale and export of farm vehicles, machinery and plant all over the world including Eastern Europe and Africa. It is a busy and intensively used site – frequently attracting thousands of customers. Given its size (16ha or 40 acres), the site supports a limited level of employment. We understand that approximately 20 full time staff are based at the site together with up to 20 casual/part time staff during actual auctions.

The site benefits from a high quality access off the A142 (Chatteris-Ely) road which serves the rest of Elean Business Park. The site would appear to be a logical extension to the existing business park. The site access

joins the Sutton roundabout on this road allowing easy access by both visitors' cars and for commercial vehicles including low loader deliveries. Extensive mature roadside vegetation, along the A142, means that the site is well-screened from surrounding areas. The site is within walking distance of the village of Sutton which, in the Submission Local Plan, is defined as a 'Large Village'. We support the designation of Sutton as a large village and, given the geography of this area, we believe it is highly appropriate for there to be a major strategic employment allocation in this location.

#### 4. Response to the Submission Local Plan

4.1 The property owners have a number of comments on the draft Local Plan in respect of employment matters as follows:

4.2 We object to Policy LP8 for the following reasons:

- We object to that part of the policy dealing with 'Other Land in Employment Use' as this is restricted to B1, B2 & B8 uses. There may be many established business premises which do not fall neatly into these categories such as the Sutton Sale Ground and, in terms of physical characteristics, the property or site may be extremely similar to land in typical B1, B2 or B8 use. Therefore, there is sense in including a wider range of categories under this part of the policy by tweaking the policy wording to include 'appropriate sui generis and mixed uses' for example. As drafted the approach is not compatible with Paragraph 84 of the Framework;
- We note that Policy LP8 allows new employment development in the countryside but only in the case of B1, B2 & B8 uses of less than 500m<sup>2</sup>. It is not clear how that threshold has been defined. Clearly that criteria would not apply in the case of a site such as Sutton Sale Ground which is 16ha and therefore we believe that additional policy guidance is required in the Local Plan to address such cases. As drafted LP8 is not consistent with Paragraphs 83 & 84 of the Framework which provide no such limitations. A criteria-based approach maybe appropriate; and
- Finally, we are seeking the allocated area (SUT.E1) to be extended so as to include the Sutton Sale Ground site which lies immediately to the west of the above allocated area – an additional area of some 16ha. We can foresee no planning harm of such an extended allocation given the nature of this land.

4.3 We Object to Policy Sutton3: Allocation Sites for the following reasons

- The second 'Site Specific Criteria' makes no sense and should be deleted. It suggests that the 17ha that remains undeveloped should be developed in accordance with principles established by a variety of existing consents. The existing consents apply to the developed part of the site and therefore they do not provide any principles for the remaining 17ha;
- For the reasons set out in this and other objections we believe that the existing SUT.E1 allocation should be extended so as include the Sutton Sale Ground site; and
- We consider that there would be merit in the Local Plan including a new (i.e. additional) Sutton6 policy concerning expansion of the existing SUT.E1 site so as to include the further 16ha at the Sutton Sale Ground.

4.4 In the light of the above it is considered that the Plan is unjustified and is not positively prepared. We believe that Paragraph 84 of the Framework is particularly relevant in this case and which states: 'The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist'. There seems little justification for LP8 to limit uses and the scale of new employment development.

## 5. Explanation to Objections

- 5.1 The main reason for this suggestion is the current economic situation and the specific nature of the planning permission in force for the Sale Ground site, obtained by the site tenant. The current auction business is strongly influenced by international currency fluctuations given that the majority of agricultural machinery sold at the site is destined for the export market. In addition, the June 2016 referendum decision to leave the European Union has cast considerable uncertainty over the future export market in respect of Eastern Europe and, in view of the Common Agricultural Policy and the future of farm subsidies, the general economic well-being of farming in the UK. These uncertainties are understandably of concern to the property owners.
- 5.2 The site is currently a sui generis use meaning that any future occupiers of the site would need a specific planning permission for any alternative use of the property. By allocating the site as an extension to the SUT.E1 Strategic Employment Site, there would be certainty, for all parties, that it could potentially be considered for a wide range of B1, B2 and B8 uses in the event that the current business changes. In making this comment the property owners are mindful of the time period of this local plan being 20 years (2016-2036). In addition, there is an opportunity to introduce new businesses to the site which complement the current activities, particularly given the sporadic nature of auctions and the extent of undeveloped land.
- 5.3 In support of this suggestion we consider that:
- The existing Sale Ground site lies immediately adjacent to the allocated land SUT:E1 on its western boundary. It was formerly a part of RAF Mepal airfield and clearly constitutes previously developed land (i.e. brownfield);
  - The Sale Ground site is contained by strong physical, well-defined boundaries and is bordered to the south by the A142 main road;
  - The site is wholly compatible, in scale and nature, with the existing employment area to the east;
  - Sutton is designated as a Large Village and benefits from two draft housing allocations for approximately 275 dwellings in the Submission Local Plan. It is therefore a focus for further growth and investment in line with its position in the settlement hierarchy as a Large Village;
  - The Sale Ground site is within walking distance of the village and the new housing allocations and Sutton is well served by public transport. It is, therefore, a sustainable location for further economic activity;
  - In terms of existing character, the Sale Ground site has the appearance of an industrial site already;
  - A high quality access already exists and the physical nature of the site means that it is easily developable;
  - A higher level of employment land in this location, on the A142, would reduce out-commuting to areas such as Chatteris/Huntingdon in the west and Ely (Lancaster Way) in the east;
  - The site is potentially highly suitable for warehousing, open storage, contractor's yards/compounds or other light industrial usage, including trade counters/showrooms for example; and
  - Potentially, a future B1, B2 or B8 use of the site would result in a far higher level of employment on the site than the current operations, thus potentially delivering greater economic prosperity to the local area.
- 5.4 While we note that, under draft Policy LP8, the Council will generally support the development or redevelopment of 'other' land in employment use, it seems clear that this approach will not apply to the Sutton Sale Ground site as it is a large scale sui generis use. The site owners therefore wish to achieve a greater level of certainty over possible future long term uses of the site either in whole or part through the formal allocation of the land for B1, B2 & B8 uses via the local plan review. Without such an approach the site will likely fail to deliver its full economic potential.
- 5.5 In addition, should the owners or occupiers wish to introduce new employment generating development to the existing site (such as new development related to the existing site business), the site would presently be treated as 'open countryside' and this may well constrain such options

thereby preventing diversification of the current site activities. The site owners/occupiers simply wish to achieve a degree of certainty and that certainty would be provided through a simple employment use allocation.

- 5.6 In summary, the owners/occupiers may well wish to invest in complementary and/or alternative employment uses on this site and the current planning policy approach constrains this. Allocation of the land for employment use will provide certainty and confidence to facilitate such investment.

## **6. Changes Sought to the Submission Local Plan**

- 6.1 In the light of the above we wish to see the following changes to the Submission Local Plan in order to achieve a greater degree of certainty:
1. Our preference would be for the Plan to allocate an additional 16ha at the Sutton Sale Ground for employment use (B1, B2 & B8) as an extension to the Elean Business Park identified under draft Policies LP 8 and Sutton3;
  2. As a result of the above, the Submission Policies Map for Sutton Site SUT.E1 would be amended so as to include the Sutton Sale Ground site to its west as an employment allocation site;
  3. The wording of Policy LP8 should be reviewed in respect of 'Other Land in Employment Uses' and 'New employment development in the countryside' to make it more flexible and less restrictive and positive for appropriate sites;
  4. Alternatively, the existing Sutton Sale Ground site could be formally allocated as an 'Other Employment Site' on the Policies Map for Sutton alongside revised policy wording within LP8;
  5. The Site Specific Requirements under Policy SUT3 for site SUT.E1 should be reviewed and the second bullet point deleted or replaced with appropriate site specific criteria;

## **7. Recommendations to the Inspector**

- 7.1 We recommend that the Inspector requests the District Council to reconsider the wording of Policy LP8 so as to enable a common sense approach to sites such as the Sutton Sale Ground or, as a possible alternative, to consider introducing a criteria-based policy allowing additional employment development, outside of allocated areas, subject to specific criteria. There is no danger or planning harm in allocating further employment land of this nature in the district or in adopting a more flexible approach to sites such as this. It would be an entirely common-sense approach.
- 7.2 We would also request that the Inspector visits the Sutton Sale Ground Site particularly on an auction day (1/10/18, 20/10/18 & 5/11/18).