

**Mapeley Gamma Acquisition Co (4)
Ltd (acting by its LPA Receiver)
Ref 65249
Warwick District Local Plan
Examination**

Matter 5- The Economy and employment
land

Contents

1.	Introduction	3
2.	Q11 – Are Policies EC2 and EC3 appropriate? How are they consistent with national policy	4

Diane Bowers
diane.bowers@turley.co.uk

Client

Mapeley Gamma Acquisitions

Our reference

CUSQ3002

30 Aug 2016

1. Introduction

- 1.1 Representations were submitted to the Warwick Local Plan, Pre-Submission Draft consultation in June 2014. These representations confirmed our client Mapeley Gamma Acquisition's (acting by its LPA Receiver) support for Policy EC3, as a sound and justified policy for proposals affecting existing employment sites.
- 1.2 Mapeley Gamma Acquisitions Co. remain supportive of the Plan .This statement supplements the representations made in June 2014, dealing specifically with Matter 5 – The Economy and Employment land, and in particular, Question 11 as posed in the Inspectors Matters and Issues Paper dated July 2016.

2. Q11 – Are Policies EC2 and EC3 appropriate? How are they consistent with national policy

- 2.1 Policy EC3 'Protecting Employment Land and Buildings', seeks to protect the change of use and/or redevelopment to other uses of existing and committed employment land. Five criteria are set out. As currently drafted, however, the policy requires any proposals for non employment uses on existing/committed employment sites to accord with each criterion in order to pass the test as set out in the policy. It is our view that it is unlikely that any site could accord with each and all of the specified criteria. This is particularly true of bullet point (d) which refers specifically to a named Regeneration Area (Canalside and Employment Regeneration Area). Only sites within this area would be able to satisfy this criterion, thereby prejudicing those sites which may meet one of the other criteria, but are not located within this specific area, from being progressed.
- 2.2 We consider that the word 'or' is missing from the latter part of each criterion in Policy EC3. The current Local Plan Policy SC2 'Protecting Land and Buildings' also includes criteria, however, each criterion is suffixed by the word 'or', meaning that any proposal is required to meet only one criterion in order to pass the test set out in the policy. This is a more flexible and balanced approach than the current drafting of Policy EC3.
- 2.3 We consider that Policy EC3 is currently incorrectly drafted. We would recommend that the Policy is amended to incorporate the word 'or' as a suffix to each criteria in this policy, or alternatively, that the introductory sentence of the Policy be amended to include '*unless at least one of the following criteria is met*'.
- 2.4 To avoid unnecessary discussion at the Examination, we would request written confirmation from Warwick District Council that this change is acceptable, and the Inspector informed of this acceptance. Should this be forthcoming from the LPA, my client would be satisfied that the Inspector be requested to incorporate the amendments into his post examination recommendations, and would not wish to appear at the Examination.
- 2.5 If however, the LPA are not in agreement with this proposed amendment to Policy EC3, we would request to appear at the Examination to discuss this point as a matter of policy principle.

Turley Office
9 Colmore Row
Birmingham
B3 2BJ

T 0121 233 0902

Turley