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Your ref                    Local Plan Publication  
Our ref                     1000315457  
Direct line                [REDACTED]  
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28 July 2017

Dear Sir/Madam,

### **Tendring District – Local Plan Publication Draft June 2017**

We are writing to you on behalf of our clients, Orion Land and Leisure (herein referred to as ‘Orion’), in order to formally present our views on the Local Plan Publication Draft that was published 16<sup>th</sup> June 2017 for public consultation. Our comments primarily relate to the site known as Stanton Euro Park and the proposed allocation SAE7 “*Stanton Europark*” and we will be providing additional comments on the wider Local Plan throughout the consultation process and Examination in Public.

Orion is committed to regenerating this important part of Harwich and is in a position to ensure that development is commenced at the earliest opportunity. Indeed, Orion have been working closely with planning officers at Tendring in order to develop the Masterplan of the site to ensure successful delivery. The future policy allocation has the potential to have a direct influence on Orion’s aspirations and therefore we hereby submit our comments on the Local Plan Publication Draft document.

Given the strategic importance of Orion’s landholding it is considered that these comments should be taken into full consideration and we welcome ongoing dialogue with the Council to ensure that this gateway site provides the most appropriate and deliverable form of development. Orion have submitted representations throughout the development plan process and many of these comments remain relevant, however, for clarity these are provided as appendices and are not repeated in the body of this letter.

### **Proposed Site Allocation**

In the first instance, Orion is pleased that the site has been identified as a strategic allocation with employment, retail and leisure identified as acceptable uses. This is broadly reflective of the Masterplan which is being developed and would be an appropriate land use allocation for the site. Indeed, it is our contention that the site is the most sustainable location for any retail and leisure expansion in Harwich given the fact that the location already forms part of the resident’s shopping patterns and has tangible links to the town centre. This assertion is also supported by the Employment Land Review (2016) which concludes that the introduction of retail uses “*could potentially overcome the viability constraints and also provision additional services to the Town which could help to attract further investment as well as enabling the remainder of the site to be brought forward for commercial development*”. The review concludes that employment uses should remain an option for the site but that retail and leisure development should be used to facilitate its delivery.



Whilst we are supportive of the allocation, we would suggest that the site is not identified as an “Employment Allocation” in Policy PP7 and consider it would be more appropriate to identify the site as a “Mixed Use Allocation” given that it is likely that the site will come forward with employment, retail and leisure uses.

The second main amendment we would suggest is that the allocation boundary should exclude the existing Gateway Retail Park and Morrison’s foodstore. Clearly these two areas are already developed and there is no opportunity that they will come forward for employment uses or leisure as defined within the policy wording. We would suggest therefore, that the site allocation only includes the brownfield land which is undeveloped and does not include the existing retail floorspace at Gateway Retail Park and Morrison’s as these are existing areas that do not require allocating within a Site Allocations Plan which should be reserved for new development.

The final amendment we would suggest is to part ‘b’ of the policy wording which currently states that *“the quantum of which will need to be determined in accordance with the most up-to-date retail needs analysis at the time of the determination of any planning application...”* Whilst we are supportive of the spirit of this wording, we would suggest that it is more appropriate to state that the quantum of floorspace will be assessed against the principle tests set within the NPPF of retail impact and sequential site assessment to demonstrate their acceptability. The advent of the NPPF removed the requirement to demonstrate need as it was deemed more relevant to understand the impact of a proposed development. It is considered that this nuanced amendment to the proposed wording protects the intention of the policy, whilst ensuring it is consistent with national policy and effective.

Orion is actively progressing with the Masterplan for the site and is completing the necessary technical work to underpin the future uses on the site. This technical work includes engagement with highways consultants, drainage technicians, a population and retail audit and commercial analysis of employment generating uses. As this deep level assessment work continues, Orion will provide further analysis of the Local Plan Publication Draft and provide comment where appropriate.

We trust that all our comments are clear and will be taken into consideration as part of the Local Plan process. However, if you require any further information, please do not hesitate to contact the undersigned on the details at the top of this letter.

Kind regards

A handwritten signature in blue ink, appearing to read 'Ashley Collins', written over a faint circular stamp.

Ashley Collins  
Director – Planning, Development and Heritage

**For and on behalf of JLL**

Cc: Richard Bowen – Orion Land and Leisure

Enc: Previous Consultation Responses on behalf of Orion



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|-------------|------------------------|
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| Our ref     | 1000315457             |
| Direct line | 0207 399 5485          |
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31 March 2017

Dear Sir/Madam,

### **Tendring District – Local Plan Publication Version**

We are writing to you on behalf of our clients, Orion Land and Leisure (herein referred to as 'Orion'), in order to formally present our views on the Local Plan Publication extract that has been provided with respect to the proposed site allocation at Stanton Euro Park. Orion is in the process of masterplanning the Stanton Euro-Park site which is a strategically significant brownfield site but has lain vacant for several years.

Orion is committed to regenerating this important part of Harwich and is in a position to ensure that development is commenced at the earliest opportunity. Indeed, this early commitment has been demonstrated through successfully gaining planning permission for 38 residential units at Williamsburg Avenue which is a site that has been beset with problems and false dawns and Orion is hopeful of a start on site in the immediate future.

Now that planning permission has been granted for Williamsburg Avenue, the focus will now lay directly onto Stanton Euro Park and the delivery of a mixed use scheme. Clearly, the future policy allocation has the potential to have a direct influence on Orion's aspirations and therefore we hereby submit our comments on the extract of the Local Plan Publication Document extract that has been provided. Given the strategic importance of Orion's landholding it is considered that these comments should be taken into full consideration and we welcome ongoing dialogue with the Council to ensure that this gateway site provides the most appropriate and deliverable form of development.

### **Site Location and Background**

Stanton Euro-Park (map enclosed) is located to the east of the Parkeston Bypass and adjacent to the Morrison's food store. The site is located in a predominantly commercial area which includes Gateway Retail Park, Home Bargains, Lidl food store and within close proximity to employment uses associated with Harwich Port.

Outline planning permission was granted for the comprehensive redevelopment of the site known as 'The Gateway' on 22 February 1993 (ref. 93/026), it is our understanding that this was in turn a renewal of a previous outline permission (ref: Ten 775/87) granted in February 1989 which was in turn a substitution of an earlier application in January 1987; although we have not seen records of these applications. The 1993 outline planning permission comprised redevelopment of the land for industrial / warehousing, retail units, a fast food unit, a petrol filling station, a hotel and residential uses including associated road networks, service yards and parking.



Individual elements of the original planning permission have been implemented including the retail park, food store and individual residential 'plots'. However, the 'industrial' element that was permitted for Stanton Euro-Park remains undelivered despite the outline permission being renewed on a number of occasions.

In October 2011, outline planning permission was granted (ref: 11/00638/OUT) for development of warehousing (B8) and general industrial (B2) together with ancillary offices. It is our understanding that this application was speculative in order to encourage interest in occupiers. Again, this planning permission has not been implemented and subsequent reserved matters have not been forthcoming.

The planning history of the site together with the on-site constraints such as the sewage pipe and high ground water table, demonstrate that the delivery of the site is a challenge. Careful consideration of the site allocation and the appropriate mixture of Uses is required.

### **Proposed Site Allocation**

The site is allocated as an "Employment" site and "Principal Business and Industrial Area" within the 2007 Local Plan and was historically allocated as "Industrial Use" within the Tendring Structure Plan. However, despite the planning framework and previous planning permissions for employment generating uses, the site has failed to deliver these uses for nearly 30 years.

The Tendring Employment Land Review (2016) recognised the historical allocation and also the significant on-site constraints which make "*wholesale speculative development unlikely*". Indeed, the review noted the competing supply of land and buildings in the surrounding area which have a "*competitive advantage*" in terms of availability and deliverability over Stanton Euro Park.

The conclusions drawn by the Employment Land Review state that the introduction of retail uses "*could potentially overcome the viability constraints and also provision additional services to the Town which could help to attract further investment as well as enabling the remainder of the site to be brought forward for commercial development*". The review concludes that employment uses should remain an option for the site but that retail and leisure development should be used to facilitate its delivery.

The Employment Land Review conclusions and recommendations are broadly consistent with Orion's aspirations for the site and it is clear that the requirement for employment uses is not sufficient to support the delivery of the site without a sufficient amount of retail floorspace to make the scheme viable.

In this respect, it is our contention that Stanton Euro-Park is the most sustainable location for any retail expansion in Harwich given the existing surrounding land uses and the fact that the location already forms part of the resident's shopping patterns and has tangible links to the town centre. Expansion in other locations would create a fracturing in the retail environment and will be more detrimental to the town centre by virtue of creating an out of centre retail destination.

In this respect, it is noted that the Retail Study 2016 identifies additional capacity for convenience goods provision in Harwich in the short term and also capacity for some growth in comparison goods retail. However, this capacity is predicated on the principle of constant market share and the Retail Study notes that the trade



retention in Harwich is very weak with centres such as Colchester dominating the shopping patterns of residents in the area. Indeed, the Study notes that there is a “*poor retention of comparison goods in Harwich and Tendring generally*”, this is seen as an opportunity by Orion and Stanton Euro Park is ideally placed to improve the comparison good offer to attract residents back into the area and stimulate further investment.

Given the qualitative need for additional retail floorspace and the opportunity to improve retail market share, we propose that the Stanton Euro-Park site is re-allocated for a mixture of employment generating uses, focussing on retail with supporting business, industrial and storage or distribution where a need can be identified. The retail uses will inherently provide local employment, but will also be the financial catalyst for delivering employment generating land uses for the remainder of the site; which to date has failed to be delivered despite numerous planning applications.

It is our contention that Stanton Euro-Park represents the most suitable, viable and sustainable location for employment land to be reallocated for retail used and in this respect should be prioritised for reallocation. We would also note that the site already benefits from excellent links to the strategic and local highway network and in this respect will not require any highway works or upgrades in order to make redevelopment deliverable.

The latest iteration of the Local Plan site allocation does go some way in achieving this mixed use allocation, however we would suggest that the balance of uses proposed is disproportionate to the identified quantitative and qualitative need and is also not deliverable in consideration of the market and on-site site constraints. In the first instance, the site areas quoted do not reflect the measured site areas, for instance, if the maximum quantum of floorspace is delivered, this equates to 28 hectares, whereas by our measurements the area only equates to 12 hectares.

We would also note that the site allocation includes the Morrison’s food store and Gateway Retail Park which totals 5.5 hectares which is nearly 50% of the allocation. Given the proposed allocations anticipates the predominant use to be employment, this would suggest that Stanton Euro Park is therefore expected to deliver only commercial uses. This allocation is in direct conflict with the evidence provided in the Employment Land Review which suggests that there is not sufficient demand to require this much land to be allocated and also identifies that Stanton Euro Park is unable to deliver that level of employment floorspace.

We would suggest that the site allocation only includes the brownfield land which is undeveloped and does not include the existing retail floorspace at Gateway Retail Park and Morrison’s as these are existing areas that do not require allocating within a Site Allocations Plan which should be reserved for new development.

In addition to this, we would suggest that the site area allocation should read as follows:

*“Policy XX: Stanton Europark*

*Stanton Europark, shown on the Proposals Map as two plots as part of site XX, is allocated for mixed use development as follows:*

- a. *Up to 6-8 hectares for retail use (A1);*
- b. *Up to 2-4 hectares for commercial uses (B2/B8); or*



c. *Up to 1 hectares for leisure uses (D2)."*

It is considered that this mixture of retail and commercial uses is more realistic and more reflective of the evidence and recommendations contained within the Employment Land Review and the Retail Study. Indeed, Orion has already started Masterplanning the site and the above uses are reflective of the initial layout plans that have been shared with the Council and broadly supported. We welcome further workshops with the Local Authority in order to develop a suitable Masterplan for the site, however it is considered that the above quantum of floorspace for Stanton Euro Park are the most suitable and reflective of the evidence contained within the Employment Land Review and Retail Study which identify that the site is suitable for retail led redevelopment in order to support a limited amount of commercial uses.

We trust that all our comments are clear and will be taken into consideration as part of the Local Plan process. However, if you require any further information, please do not hesitate to contact the undersigned on the details at the top of this letter.

Kind regards

A handwritten signature in blue ink, appearing to read 'Ashley Collins', written over a faint circular stamp.

Ashley Collins  
Associate Director – Planning, Development and Heritage  
**For and on behalf of JLL**

Cc: *Richard Bowen – Orion Land and Leisure*