

Report of	Meeting	Date
Report of Director of Development and Regeneration (Introduced by the Executive Member for Economic Development and Regeneration, Cllr Peter Malpas)	Executive Cabinet	26 June 07

## LAND ALLOCATED FOR EMPLOYMENT DEVELOPMENT AT BOTANY/GREAT KNOWLEY, CHORLEY

### PURPOSE OF REPORT

- To explain the background to, as well as the status and relevance of, the employment development allocation on the site known as Botany/Great Knowley. This is to inform Members of the prospect and implications of changing the Local Plan allocation of the site.

### CORPORATE PRIORITIES

- The employment development of this land is particularly relevant to the Strategic Objective to 'Put Chorley at the heart of regional economic development in the Central Lancashire sub-region'.

### RISK ISSUES

- The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy	X	Information	X
Reputation	X	Regulatory/Legal	X
Financial	X	Operational	X
People		Other	

- The site has key relevance for the Prosperity Priority of the Corporate Strategy. How the Council handles the development proposals for the site raises risk implications in terms of operational, information, reputation and regulatory/legal issues. If this handling is inappropriate then there is the risk of financial penalties being incurred.

### BACKGROUND

- The Guiding Principles document (appended to this report) for developing the site was presented to the meeting of Executive Cabinet on 24 May 2007 for Member approval. However the Cabinet resolved to await the preparation and submission of a further report on:
  - "The feasibility or otherwise of procedures to secure the release of the site's current allocation as employment land in the Local Plan Review"; and

- “the implications of any re-allocation of the site”.

6. The Cabinet also resolved:

“That, in the event of any re-allocation of the site proving unfeasible, a further consultation exercise on the details set out in the guidance note be undertaken”.

## **DEVELOPMENT PLAN STATUS OF SITE**

7. The land was first identified for employment (and leisure) development in 1991 when a consultation draft of the first Chorley Local Plan was published. Objections were heard to its proposed allocation at public inquiries to this and the subsequent Local Plan Review. Each Inquiry Inspector concluded that the site was appropriate and needed for employment development.
8. It was not until 2005, two years after the Local Plan Review as adopted, that the County Council raised the issue of non-conformity as a consequence of the latest Structure Plan being adopted in March of that year. The main conformity issue relates to the new Structure Plan requiring a lower amount of employment land to be provided in Chorley Borough over 15 years. The new figure is 60 hectares down from the 80 hectare figure in the previous Structure Plan. A further conformity matter concerns ‘town centre first’ uses such as offices - a matter that emanates from national planning guidance.
9. On paper the Borough does appear to have an over-supply of employment land – over 100 hectares if all possible sites are counted. However, this figure includes some sites already in use and land that has little prospect of coming forward. This long list of possible sites is maintained in an attempt to offer a range of opportunities. A full review of these sites has started. The most telling fact is that since 2001 and the start of the current Structure Plan period less than 8 hectares of employment land accountable against the 60 hectare figure has been developed – only one third of what would be expected after 6 years. It was for this reason that the County Council did not object to a planning application on neighbouring land at Botany, on the west side of the canal, being approved.
10. The 2005 Structure Plan will soon be replaced by a new Regional Spatial Strategy (RSS) for North West England. Produced on the back of the Northern Way Growth Strategy, the new RSS will promote higher economic growth. Land at Botany/Great Knowley is well placed to meet this increased need, a fact supported by Chorley’s own Economic Regeneration Strategy that includes the site in a ‘Bridge of Opportunity’. This all fits well with the Council’s own Strategic Objective - to ‘put Chorley at the heart of regional economic development in the Central Lancashire sub region’.
11. The fact that the Botany/Great Knowley land still lies undeveloped after 15 or so years belies the need for sites like this in Chorley. It has not been developed so far because it is best accessed via land to the west of the canal and that site has gone through a series of ownership changes and abortive development aspirations. The Botany/Great Knowley land itself is in various different ownerships and co-ordinating proposals here has been difficult – prime reasons for producing the Guiding Principles document.

## **FEASIBILITY OF CHANGING THE SITE’S ALLOCATION AS EMPLOYMENT LAND AND THE IMPLICATIONS OF ANY RE-ALLOCATION**

12. Although Local Plans are in the process of being replaced by Local Development Frameworks (LDFs) all Local Plan policies and proposals (land allocations) across the country were automatically saved for three years when the new Planning Act came into force in September 2004. It was envisaged by Government that by September 2007 LDFs would have been produced in their entirety to replace Local Plans. No Council in

England will have achieved this so the Government has asked Councils which policies and proposals they want to save for longer. This matter was reported to 29 March 2007 meeting of the Cabinet when it was resolved to seek to save the majority of the Chorley Local Plan Review policies. In line with this your Officers have made a submission to Government to do this, including seeking to save the allocated employment sites.

13. A decision is awaited from the Government Office however the indications are that all sites allocated for development across the country will be saved from deletion. This is because a development site allocation in a local plan greatly enhances the value of the land involved; removing the allocation will most likely raise claims for compensation.
14. The only other way of changing the allocation of the site would be through a new LDF document following a process of extensive consultation and consideration of representations. The process would take several years even though some initial work on a document of this type has started. Furthermore Councils no longer have the final say on the content of development plans. If the Inspector examining the document considers the site should be allocated for employment development then the Council will have no choice but go along with this.

## **CONCLUSION**

15. The Botany/Great Knowley sites has long been earmarked for employment development. It remains appropriate for this use and is probably needed more than ever before. There is no quick and easy way to re-allocate the site and in any event attempts by the Council to do this may not be within the authority's control or in the best interests of the Borough. It would undermine efforts to foster local economic growth and employment creation. Any development on the site will need to be designed to a high standard and be well co-ordinated with any other proposals on the site – hence the need for the Guiding Principles.

## **COMMENTS OF THE DIRECTOR OF HUMAN RESOURCES**

16. There are no apparent Human Resources implications arising from this report.

## **COMMENTS OF THE DIRECTOR OF FINANCE**

17. Attempts by the Council to inappropriately change the development allocation of this land and/or refuse planning applications for unjustifiable reasons carry the risk of potential litigation which could lead to high costs being levied against the authority.

## **RECOMMENDATIONS**

18. That Members accept that due to the fact that this site has been identified as employment land since 1991, included in the Chorley Borough Local Plan (adopted 1997) and the subsequent Review Plan (adopted 2003), both of which were subject to a public inquiry, that the existing Local Plan allocation on the site is for all practical purposes unchangeable and in any event that the land remains appropriately proposed for employment purposes.
19. That, subject to minor textual changes being delegated to the Director of Development and Regeneration, the Guiding Principles document be issued for further consultation.

## REASONS FOR DECISION

20. Any move to re-allocate the land could not be quickly pursued, nor done without risk of financial compensation. A fully considered plan review of the site's status is likely to conclude the land is needed for employment development and appropriate for continue allocation.

## ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

21. Seeking to change the Local Plan allocation of the site has been considered and rejected for the reason set out above.

JANE E MEEK  
DIRECTOR OF DEVELOPMENT AND REGENERATION

<b>Background Papers</b>			
<b>Document</b>	<b>Date</b>	<b>File</b>	<b>Place of Inspection</b>
Inspectors Report into objections to the Chorley Borough Local Plan	April 1995	-	Union Street Offices, Chorley
Inspectors Report into objections to the Chorley Borough Local Plan Review	July 2002	-	Union Street Offices, Chorley

  

<b>Report Author</b>	<b>Ext</b>	<b>Date</b>	<b>Doc ID</b>
Julian Jackson	5280	4 June 2007	P/BOTANY GREAT KNOWLEY...