
Part B – Please use a separate sheet for each representation

Name or Organisation: Oxalis Planning Ltd

1. To which part of the Local Plan Review does this representation relate?

Paragraph	3.14, 3.15	Policy	DS1
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2. Do you consider the Local Plan Review is:

(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
(3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

Please tick as appropriate.

3. Please give details of why you consider the Local Plan Review is not legally compliant or is unsound or fails to comply with the Duty to Co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan Review or its compliance with the duty to co-operate, please also use this box to set out your comments.

The CCC Local Plan Regulation 19 version (December 2024) ('CCCLP') sets out that the Council will not allocate new non-strategic employment sites to meet the identified shortfall of 45 ha (as identified in paragraph 3.14 of the draft Plan). In summary, HL object to the CCCLP as it is unsound on the basis that it has not been positively prepared to meet the employment development needs of the area.

The 2023 NPPF (Paragraph 86) is clear about the importance of assessing economic needs and then putting in place a plan to meet those needs. This forms one part of the expectations of planning policies which are required, inter alia, to (our emphasis added):

- a. ***set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth;***
- b. ***set criteria, or identify sites, for local and inward investment.....to meet anticipated needs over the plan period;***
- d. ***be flexible enough to accommodate needs not anticipated in the plan....and enable a rapid response to changes in economic circumstances.***

Draft Policy DS1 part 3 sets out that the employment land need will not be accommodated within CCC's boundary and that CCC will continue to work through the Duty to Co-operate to make appropriate provision elsewhere. However, at this stage, we are unaware that any public draft Statement of Common ground (SoCG) or Memorandum of Understanding (MoU) has been published to confirm that the City's unmet local employment land need is guaranteed to be met by neighbouring authorities. If such a document is being prepared and exists in draft, it should be made available. In our view, this approach is unsound as the identified employment land requirements are not proposed to be met or planned for either by allocating new sites, or by a confirmed MoU or SoCG with neighbouring authorities.

The evidence base prepared by CCC and their neighbouring authorities acknowledges that the CCCLP fails to meet the needs identified with a shortfall of local employment land of 45 ha. The CCCLP cannot be considered sound when it clearly fails to meet the requirements of para 86 of the NPPF, where no clear strategy is proposed to positively and proactively encourage sustainable economic growth, and identified needs will not be met.

As referred to above, the requirements of the 2023 NPPF includes not only planning to meet anticipated needs, but also to '*be flexible enough to accommodate needs not anticipated*'. It is unclear how the current proposed approach of the CCCLP is attempting to accord with the NPPF given it is failing even to meet currently identified need and so provides no flexibility for additional needs.

The CCCLP falls some way short of meeting the requirements of the NPPF with regard to planning for local (and other) employment need and is therefore unsound.

The Savills report (submitted with these representations) critiques the evidence base for employment land needs in support of the Local Plan comprising the 2022 HEDNA, 2024 WMSESSS, and 2024 alignment paper. It assesses that the identified employment land requirements are formed by an analysis of trend-based data, which does not consider market indicators.

Recent market trends indicate through the high absorption rates, low stock availability, and increased rental values that the market has historically (and currently) been constrained by supply, therefore resulting in inhibited take-up. The trend-based assessment in the evidence base, therefore, does not consider these market conditions and in turn underestimates the actual employment land needs requirements. This does not accord with NPPF Paragraph 32 (Dec 2023) which specifically requires policies to **"take into account relevant market signals"**.

Please refer to the written representations submitted alongside these forms, as well as the supporting Savills report: Industrial and Logistics (I&L) Needs Assessment February 2025.

(Continue on a separate sheet /expand box if necessary)

4. Please set out the modification(s) you consider necessary to make the Local Plan Review legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the Duty to Co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan Review legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy DS1 should meet the entirety of the recognised employment land need either by allocating sufficient sites, or through the duty to cooperate via a secured agreement such as a memorandum of understanding or statement of common ground. Identified employment land needs should be reconsidered in order to consider relevant market signals as required by paragraph 32 of the NPPF.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues they identify for examination.

5. To which part of the Sustainability Appraisal (SA) report does this representation relate?

Paragraph

N/A

Please add any further comments relating to the SA report in the box below

N/A

(Continue on a separate sheet /expand box if necessary)

6. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

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No, I do not wish to participate in hearing session(s)

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Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

As planning agents acting on behalf of the Landowners to promote the employment site located north of the A45, we consider it necessary to participate in hearing sessions to provide evidence in support of ensuring that Green Belt, and employment related policies are reviewed appropriately, in order to deliver the employment growth required in accordance with NPPF Section 6.

(Continue on a separate sheet /expand box if necessary)

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.