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land uses. The Policy restricts mixed use development and brownfield development of residential homes.

8.4. PPG3 and its related document “Tapping the Potential” explicitly require local authorities to review employment allocations in order to ensure that the best use of available land is made. Where land previously in employment use has no genuine possibility of returning to that use, alternative uses such as mixed use development or housing should be considered. Similarly, the importance of mixed use development is reflected in a wide variety of national planning guidance, including PPG1. I accept that the wording of Policy EMP4 as set out in modification EMP/04/01 does not fully reflect this guidance in that it does not recognise the benefits of mixed use development nor give sufficient weight to the reuse of redundant employment land.

8.5. However, the proposed additional modification D/EMP04/07 makes paragraph 9.43 part of Policy EMP4. This modification introduces into the Policy criteria for the acceptability of change of use from employment land to other uses. Additionally, the modification introduces new criteria that address the acceptability of mixed use development on former employment land. While these tests are stringent I consider that, given the Council’s quite reasonable desire to retain local employment uses, this modification renders the Policy consistent with national policy guidance.

The Policy should refer to forthcoming GLA guidelines for industrial land release.

8.6. The GLA supplementary guidelines on the release of industrial land referred to by the objector have not yet been produced. Given the increased flexibility of the modified Policy, which now accords fully with Government guidelines on the use of employment land, I do not consider any reference to these guidelines is necessary.

RECOMMENDATION

8.7. I recommend that the UDP be modified by D/EMP04/01 as further modified by D/EMP04/07.

Modification ref: D/EMP04/05

Issue

Conversion of historic buildings around Richmond Green from office to residential use should not have to satisfy all the Policy’s additional criteria.

Inspector’s appraisal and conclusion

8.8. The objector considers that the re-conversion of historic buildings around Richmond Green back to their original use should not have to satisfy the Policy’s strict criteria. The Policy should support the conversion of these buildings from office use to residential use. I find that the principle of conversion of historic buildings is addressed in Policy BLT5. This Policy supports the retention of the original use of historic buildings. As the UDP should be read as a whole it is clear that this would be an important consideration in any proposal to convert any historic building back to its original use. Therefore there is no necessity to address this issue in Policy EMP.04. Whilst I recognise that the area around Richmond Green is a particularly attractive environment, to single out these buildings for exemption from an

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otherwise reasonable policy would not be acceptable. I do not consider that this exemption would have a significant effect on the future preservation of these buildings or the protection of the area's character. I do not therefore consider that the change suggested by the objector should be made.

RECOMMENDATION

8.9. I recommend that the UDP be modified by D/EMP04/05.

Policy/Para EMP 9

Hotels and guest houses

Modification ref: D/EMP09/01

Issue

The protection of hotel and guesthouse accommodation is not justified in the Plan text.

Inspector's appraisal and conclusions

8.10. The objector considers that the Policy effectively represents a presumption against the loss of hotel and guesthouse facilities without justifying why this is necessary in the Borough. Hotels and guesthouses should not be protected where they are commercially unviable or redundant. This objection was placed before the Inspector at the previous UDP and while he found that the Council's reasoning was 'lacking' no subsequent modification was made by the LPA. The LPA has suggested a modification which it considers addresses the objector's concerns but I consider it is not satisfactory. The first part of the modification introduces the phrase 'generally' into the Policy, which reduces the clarity and certainty of the Policy whereas best practice suggests that the use of this term should be avoided.

8.11. While the second part of this suggested modification goes some way to reducing the rigidity of the Policy, I find for similar reasons that it is also poorly worded. Furthermore I find that the LPA has still not included any justification for the restrictive nature of this Policy. Whilst the LPA has identified a lack of mid price and low budget hotels this does not justify the protection of all hotel and guest house accommodation. It would only be reasonable to protect this type of land use where there was a demonstrably established local need. I therefore consider that the first sentence of this Policy and paragraph 9.55 should be amended.

RECOMMENDATIONS

8.12. I recommend that modification D/EMP09/01 be not made and that the following additional modifications be made to the text of the original UDP Review Policy:

(i) The first sentence of Policy EMP9 be deleted and replaced with the following text:

Where it can be shown that existing hotels guesthouses and other overnight accommodation contribute to meeting an identified need, their loss will be resisted.

(ii) A new sentence be inserted into paragraph 9.55 after the first sentence to read:

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Where there is an identified need the loss of existing hotels and guesthouses will be resisted subject to their being in locations which continue to be compatible with the amenity of the surrounding area and have adequate access and parking.'