

South East England Development Agency

ADVICE NOTE: RESPONDING TO CONSULTATIONS ON PLANNING APPLICATIONS

NOVEMBER 2009

Introduction

SEEDA is responsible for promoting the sustainable economic development and regeneration of the region. The priorities for achieving this are set out in the Regional Economic Strategy (RES) for the South East and SEEDA's Corporate Plan 2008-11.

SEEDA's purposes under the Regional Development Agency Act 1998 are to:

- Further economic development and regeneration
- Promote business efficiency, investment and competitiveness
- Promote employment
- Enhance the development and application of skills and
- Contribute to the UK's sustainable development

SEEDA sets out how the region will achieve these purposes by producing the RES.

In accordance with Article 10(1) (zc) of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 20031 and the provisions of Section 74 of the Town and Country Planning Act 1990, SEEDA is a statutory consultee on planning applications which fall within criteria determined by each RDA. This is the third set of Criteria issued by SEEDA which came into effect from 27th November 2009. The purpose of consulting SEEDA is to assess the application in terms of the RES.

SEEDA agrees to respond to all strategic planning applications within the statutory period (normally 21 days). Where this is not possible an extension of time will be sought with the agreement of the Local Planning Authority (LPA).

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SEEDA responses to Regionally Significant Planning Applications

On applications falling within the Agency's Regionally Significant Planning Application Criteria (Appendix 2) we will:

- 1. Identify the relationship of the application to the RES.** For example, proposals for key sectors, employment development on strategic sites, sites with economic potential within a Regional Hub or Diamond for Investment and Growth, major housing schemes and key transport schemes. The RES in terms of physical development requires there to be sufficient and affordable housing and employment space of the right quality, type and size to meet the needs of the region and support its competitiveness. Regional transport priorities focus on reducing road congestion and pollution levels by improving travel choice, promoting public transport, managing demand and facilitating modal shifts. SEEDA is also working with partners to deliver schemes such as East West Rail, Fastrack and Reading Station upgrade. A development may also help deliver improved infrastructure in a location identified as deficient in the RES.
- 2. Identify key sustainable development implications.** One of the key challenges in the RES is for Smart Growth, raising levels of prosperity per head without increasing the region's ecological footprint. SEEDA's sustainable prosperity agenda recognises that growth within environmental limits can create new opportunities for innovation. SEEDA will therefore be looking at development proposals which demonstrate for example water efficiency, reduction in the waste stream and renewable energy schemes.
- 3. Provide an assessment of a submitted economic impact assessment particularly in cases where the proposal is seen to have a wider than local impact on the economy.** Where the application is accompanied by an Environmental Impact Assessment, the socioeconomic impacts will be assessed in terms of the following criteria: job creation and sector skills on sub regional, regional or even national impacts on the economy together with the economic impact of the proposal. In the absence of sufficient information to determine the effects further information will be requested.
- 4. Relationship with the Development Plan.** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions on planning applications shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

As a statutory consultee SEEDA's response has the status of a material consideration. Where SEEDA is aware that its advice may not accord with the Development Plan it will state this in its response.

Note: Appendix 1 contains case studies identifying how the Agency has responded to Regionally Significant Planning Applications in the Region.

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SEEDA applications and sites in our ownership

SEEDA is tasked with delivering the Regional Economic Strategy and the Agency has acquired a number of strategic development sites in the region. The purpose of SEEDA acquiring land and carrying out development is to help deliver the RES. The Agency's Infrastructure Division (or consultants acting on their behalf) may issue a separate response to Agency's statutory response. There is likely to be little difference in policy terms between the two responses, however, the response on behalf of SEEDA as a land owner is likely to go into more detail, particularly on site specific issues.

Planning Appeals

Occasionally we may consider that a local planning authority's decision on an application will have a significant impact upon the delivery of sustainable economic growth in the locality, and potentially sub region. In these instances SEEDA may submit evidence and appear at the public inquiry as a third party.

Early Engagement

SEEDA welcomes the opportunity to meet with developers and local planning authorities prior to the submission of planning applications.

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Appendix 1: Response Case Studies

a) Development of regional or sub-regional significance

Southampton City Council: Former Vosper Thornycroft Site, Woolston

SEEDA was consulted on an application for 21,200 sq m of B2 employment floorspace for yacht manufacture, approximately 9,600 sq m of additional B class floorspace and up to 1650 dwellings. The site is in SEEDA's ownership and is designated as a Strategic Employment Site in Southampton's Local Plan.

The response highlighted that SEEDA is tasked with delivering sustainable economic development and regeneration in the region and the Agency continues to invest / acquire strategic development sites in order to facilitate and catalyse regeneration in the regions towns and cities.

Additionally, the RES identifies Southampton as part of the Urban South Hampshire Diamond for Investment and Growth. Within these areas concentrations of people, employment and transport give the potential to be economic catalysts for the region. This application will deliver approximately 1,650 new homes and 1200 jobs, in addition to the estimated 580 jobs per annum during the construction phase(s). This will be of significant value in helping deliver the Diamond Concept.

The application is in general well aligned to the Regional Economic Strategy (RES), we specifically welcome references to:

- Providing a range of housing types and sizes of which 25% will be affordable. This complements Target 9 which seeks to 'ensure sufficient and affordable housing of the right quality type and size to meet the needs of the region and support its competitiveness'.
- Providing floorspace for a range of employment uses. This complements Priority 4 for the Coastal South East Economic Contour which seeks to 'ensure that sufficient employment land is provided through redevelopment of Brownfield land and refurbishment of existing stock, to provide new and flexible employment space'.
- Providing 21,000sqm of Marine Employment Space. This Complements RES Action 3.1 which seeks to support the development of key Sector Consortia, including Marine Technologies (Marine South East) through the provision of appropriate land and premises.
- Providing a range of measures to reduce the reliance on the private vehicle, including the delivery of a comprehensive cycle network and secure cycle parking for residents, workers and visitors. This complements Target 8 of the RES which seeks to 'reduce road congestion and pollution levels by improving travel choice, promoting public transport, managing demand and facilitating modal shift'
- Delivering a development that incorporates a range of sustainability measures to

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b) Strategic Infrastructure

Green Park Reading: Multi-modal interchange

SEEDA received an application for the construction of a new multi-modal interchange (rail, bus, car and taxi) to serve the Green Park Business Park and proposed new residential developments in the area.

The Planning Team supported the development which we considered would support the city's designation as a Diamond for Investment and Growth and the economic growth aspirations of the city and wider region.

The application complemented the RES, specifically:

- Target 8 which seeks to 'reduce road congestion and pollution levels by improving travel choice, promoting public transport, managing demand and facilitating modal shifts'.
- Target 11 which seeks to 'reduce CO2 emissions attributable to the South East by 20% from the 2003 baseline by 2016 as a step towards the national target of achieving a 60% reduction on 1990 levels by 2050'.

The application was subsequently approved by Reading Borough Council.

Bexhill & Hastings Relief Road

The Agency received an application for the development of a 5.5km link road which will significantly improve connections between Bexhill and Hastings and enable economic regeneration.

The Planning Team supported the application which the RES identifies as a priority scheme for the South East Region (Action 8.1). Additionally, we acknowledged the importance of the scheme to the delivery of a number of regeneration projects in Bexhill and Hastings.

The application was subsequently approved by East Sussex County Council

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Appendix 2: Regionally Significant Planning application Criteria for which SEEDA should be consulted (April 2007)

In accordance with Article 10(1)(zc) of the Town and Country (General Development Procedure) (Amendment) Order 20031, Regional Development Agencies are statutory consultees for defined classes of planning applications.

Local Authorities are required to consult with SEEDA on development proposals of regional or sub-regional economic significance or proposals that contribute towards the objectives set within the Regional Economic Strategy.

The Schedule supersedes those issued to Local Planning Authorities in April 2007.

Full and outline applications which meet one or more of the following criteria set out below should be referred to the SEEDA for consultation.

Please Note:

- SEEDA does not wish to be consulted on applications for minor developments. However, if an LPA receives an application for reserved matters, amendments to earlier development proposals or minor development on larger sites that fall within these criteria, the LPA will need to exercise its discretion over whether to consult SEEDA.
- The levels of development specified below should be treated as a guide, rather than as strict thresholds. There may be cases when proposals for development fall below these levels but on which SEEDA should be consulted at the discretion of the local planning authority. Examples may include developments on sites where floor space is not indicated but is likely to be in excess of the thresholds.
- In cases of uncertainty, the LPA should contact SEEDA to ascertain if it wishes to be consulted.

Reserved Matters applications and Amendments to permissions

Where the LPA receives an application for reserved matters, amendments to earlier development proposals or minor development on larger sites that fall within these criteria, the LPA will need to exercise its discretion over whether to consult SEEDA.

Applications should wherever possible be on CDROM. If this is not possible then applications should only be accompanied by the following material; application form, site plan, planning statement, economic statement (where applicable) and Non Technical Summary of the EA.

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A. Developments of regional or sub-regional significance due to the scale of the proposal, that is, applications for:

1. Residential development comprising **2500** units or more
2. Retail development **20,000sqm** or more (net additional gross floorspace)
3. Employment development on sites of 10ha+ or comprising **10,000sqm** or more (net additional gross floorspace),
4. Tourism/leisure development comprising **20,000sqm** or more (net additional gross floorspace); or any other proposals likely to attract over 250,000 visitors per annum¹
5. Mixed use development on sites of 10ha+ or comprising **20,000sqm** or more (net additional gross floorspace) containing a component that meets the thresholds for residential, retail, employment or leisure development as set out in (1) – (4) above, or
6. Further / Higher Educational Establishments comprising **10,000sqm** or more (net additional gross floorspace).

B. Applications for the provision of strategic transport infrastructure or the improvement of the Region's existing strategic infrastructure which meet the following criteria: This list of schemes will help deliver Actions 4 and 8 of the RES in particular the need to invest in strategic economic corridors.

1. Applications relating to regionally significant highway improvements with a total cost in excess of £5m on the following corridors (including junction improvements) within the South East regional boundary, namely:
 - a. Schemes of national significance, relating to:
 - the M1, M3, M4, M20, M23, M25 and M40
 - b. Schemes of regional significance, relating to:
 - the M2, M27, M271, and M275
 - the A2, A20, A21, A23, A26, A27, A3, A31, A34, A36, A249, A259, A303, A308(M), A43, A404, A404(M), A5, and A2070
 - c. Any other road scheme identified in Annex 2 of the South East Plan Implementation Plan².
2. Applications relating to highway improvements of sub-regional significance with a total cost in excess of £5m³, as identified in Annex 3 of the South East Plan Implementation Plan⁴.
3. Applications relating to improvements in the network of public transport services that are of regional significance, including those identified in Annex 2 of the South East Plan Implementation Plan⁵.
4. Applications for the provision of other transport infrastructure projects of the types listed below:
 - a. Airports
 - Construction of any Airport
 - Constructions that threaten to decrease the capacity of any airport

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b. Ports

- Construction of facilities that increase **or threaten to decrease** the capacity of the ports identified as gateways in Policy T10 of the [South East Plan](#), specifically the ports of Southampton, Portsmouth, Dover, Thamesport and Sheerness;
- Construction of facilities that increase **or threaten to decrease** the capacity of regionally significant ports identified in Policy T10 of the [South East Plan](#), specifically Shoreham, Newhaven and Ramsgate;
- Construction of a new port.
- Development falling outside of the above criteria that the local authority considers to be regionally significant.

c. Inter-modal Interchanges

- Terminals of over 10ha for the transfer of freight from road to rail.

d. Wharves and associated rail depots

- Any proposals for new wharves and associated rail depots;
- Any proposals that threaten the loss of wharves and associated rail depots.

C. Energy, including renewable energy developments

- a. Schemes of over 5MW installed capacity.

D. Other major applications that, whilst they do not fall within the criteria set out above, the local planning authority considers may have a significant regional economic impact, such as:

- The loss of a strategic employment site to other uses.
- The loss of strategic capacity at ports and airports

¹ As set out in South East Plan (May 2009) Policy TSR4.

² Delivering the South East Plan: The South East Plan Implementation Plan October 2006 – Annex 2: National, Inter-regional and regionally significant infrastructure

³ Using the Local Transport Plan definition of a major transport scheme. If project cost is unknown, the local planning authority will need to use its discretion in consulting SEEDA. However in cases of uncertainty they may wish to contact SEEDA to ascertain if it wishes to be consulted

⁴ The South East Plan Implementation Plan October 2006 – Annex 3: Sub-regional Investment Frameworks

⁵ Where a proposal does not appear in Annex 2 of the South East Plan Implementation Plan, local planning authorities should use their discretion in consulting SEEDA. In cases of uncertainty, the local planning authority should contact SEEDA to ascertain if it wishes to be consulted.

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