

LDF SUBMISSION

Tenterden & Rural Sites DPD

Post Hearing Consultation – 2 (WYE3)

Submitted on behalf of Imperial College London

August 2010



Savills (L&P) Limited
Sevenoaks
74 High Street
Sevenoaks
Kent
TN13 1JR
Tel: 01732 789730
Fax: 01732 789777



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1. Flow Diagram

1.0 Introduction

- 1.1 Savills (L&P) Ltd are instructed by Imperial College London (ICL) and represented their interests at the recent Examination in Public (EiP) for the Tenterden and Rural Sites Development Plan Document (TRSDPD). During the EiP the Inspector, Mrs Stephanie Chivers, invited Ashford Borough Council (ABC) to make amendments to Policy WYE3 and its supporting text, to make it in line with the evidence presented by the council in their Examination Statement.
- 1.2 ABC have accordingly released their proposed changes to this policy and this report provides ICL's representations to these changes. This submission has been produced in conjunction with Origin 3, and therefore also presents their response to this post hearing consultation. We would like to note that our previous submissions, written and oral, still stand and the comments made herein are additional representations specific to the revised wording being proposed by ABC.

2.0 Overview

- 2.1 We have reviewed the revised Policy WYE3 and believe the approach proposed by ABC still represents a flawed approach. As it stands the proposed policy has the ability to delay the consideration of alternative uses for the various sites beyond 2014. This delay is being proposed even when a marketing campaign has already shown there to be little demand for the main campus in its current educational form. To illustrate the timeframe involved with the two approaches (Core Strategy Review or Revised Policy WYE3) proposed by ABC, we have produced a flow diagram (see Appendix 1) of the relevant stages involved, to which we have added our proposed strategy, as set out in Section 4 of this report.
- 2.2 The reliance on the Core Strategy review, expected around 2014, before a firm decision can be made on these sites is an entirely erroneous approach. By definition the Core Strategy does not cover site specific allocations of this scale, and the appropriate place for such allocations is this DPD. The council's proposed approach will only result in further delay which unnecessarily sterilises ICL's land and provides an inflexible approach despite facts already being clear from the marketing evidence which has been submitted. Accordingly we maintain that firm and positive direction should be progressed now within this policy.
- 2.3 We believe that Policy WYE3 should be amended to allow for the consideration of alternative uses for each of the sites on an individual basis, but accept that it would be appropriate to allow for a further period of marketing to be undertaken. The most appropriate solutions for these sites would best be identified by progressing with the production of Development Brief's for each spatially separate site, on an individual basis, rather than a single masterplan which still ties the whole together. It has to follow that if a further marketing campaign proves that there remains no demand for the sites within WYE3 as

one educational entity, then these spatially separate sites should be allowed to be considered individually on their merits. This approach would allow full community engagement during the formulation of the Development Brief's and will allow appropriate flexibility for alternative uses. Indeed this approach would still allow an individual site to remain in educational use if such interest is received, whilst also providing a platform for more general factors such as nature of uses(s), scale of buildings and necessary infrastructure contributions etc. to all be fully explored.

- 2.4 We believe such a 'two-stage' approach would be most appropriate for these sites and for the village as a whole. Importantly this approach will result in a policy which is suitably flexible in the face of clear circumstances, and will not have to be the subject of an early review.
- 2.5 As such this report, at Section 4, provides a suggested rewording for Policy WYE3, whilst for completeness Section 3 makes specific comments on the revised wording issued by ABC.

3.0 Proposed Changes to Policy Wye 3 and Supporting Text

(i)	<p>Policy WYE3 supporting text Amend first sentence of Paragraph 6.97 as follows: Whilst it is understood that some initial marketing based on the part of the campus west of Olantigh Road has been carried out by Imperial College, the options for the College's future use remains uncertain.</p>
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- 3.1 Whilst the marketing undertaken to date provided a focus towards the buildings at Main Campus North, we have already demonstrated in our evidence that wider parts of the estate including the Withersdane Campus were implicitly marketed as part of this process. Furthermore buildings east of Olantigh Road and the Sports Field off Coldharbour Road, were also specifically included within the marketing brochure. Accordingly we would suggest that this position is reflected appropriately within the revised wording to Para 6.97.

(ii)	<p>Policy WYE 3 supporting text Delete paragraph 6.98 and replace with the following:- Given the strategic issues involved and the level of uncertainty that exists a precautionary approach is justified. It is therefore proposed that the issue should be fully reviewed and reassessed and should inform the first review of the Core Strategy which must be adopted before the end of 2014. By this time it should be clear whether a long term primarily educational use will be viable or not.</p>
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- 3.2 We object to the delay which this revised wording will impose on ICL's ability to pursue viable alternative uses for their landholdings at Wye. It is difficult to see why any definite decision on the future of these buildings will need to wait until the Core Strategy review. Indeed it is clearly stated at Page iv of the adopted Core Strategy that this document "...**does not**: Make site-specific allocations for development...". Therefore any decision over the future use or allocation of the various landholdings within WYE3 should not have to wait until a review of the Core Strategy.

- 3.3 It is also relevant to query why the council state that the first review of the Core Strategy “...*must be adopted before the end of 2014.*” Given the new government’s emerging changes to the planning system it is entirely possible that the first review of the Core Strategy could be delayed well beyond this date and so the land within WYE3 would be unnecessarily sterilised for an even longer period of time.
- 3.4 Accordingly we contend that any requirement to wait for the Core Strategy Review, before a firm direction can be taken on the future use(s) of this site, is flawed and unnecessarily restrictive and should be removed from this policy.

(iii)	<p>Policy WYE3 supporting text Amend Paragraph 6.99 to read as follows:</p> <p>In the interim, the opportunity should be taken by Imperial College to fully explore the opportunities that might arise for this attractive and historic campus with a view to retaining a high quality primarily educational facility if possible. An innovative approach to exploring options is needed, working with the Borough Council and the local community. <u>This process should commence through a comprehensive and active marketing exercise of the whole area contained within policy WYE3 focused on the re-use of any or all of this area for educational and / or related research and business uses and student / delegate accommodation. Such an exercise shall include direct approaches to a wide range of educational and research institutions, including private sector businesses, and be undertaken on reasonable terms for a continuous period of at least 6 months.</u> If following a full marketing campaign targeting educational and related uses, alternative uses are justified in whole or in part, then a masterplan / development brief should be prepared to look comprehensively at the constraints and opportunities, including the heritage importance of the Wye College site. The aim should be to generate a suitable long term land use and development strategy that helps to generate confidence locally about the quality and nature of the proposals whilst being commercially sound. <u>This should be based around establishing a mix of appropriate uses within the WYE3 area and identifying the scale, design and location of particular buildings and uses.</u> Masterplanning of this area should be carried out inclusively with the full input of the local community and relevant stakeholders through a process to be agreed by the <u>Borough and Parish Councils.</u> It may be that this process produces robust proposals that are widely supported in the local community before the adoption of the Core Strategy review in 2014, thus enabling more significant development or redevelopment of the campus to be brought forward earlier. In these circumstances, the Council shall review policy WYE3 accordingly <u>formally review policy WYE3 to reflect these changed circumstances or seek to adopt the agreed masterplan as SPD to the existing policy following full public consultation, whichever is more appropriate.</u></p>
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- 3.5 Our previous objections to the proposed masterplanning exercise for all the spatially and functionally separate sites grouped within WYE3 remain unchanged. However it is useful to receive further clarification on the duration of marketing which the council would consider appropriate.
- 3.6 From a marketing perspective it is difficult to comprehend the generic reference to “*reasonable terms*”, which the council are proposing to include within this revised wording. Whilst the council clearly consider the market needs to be tested at a realistic ‘price’ level, this is inherently difficult to quantify, and could lead to further delay. This difficulty is partly due to speculative interest which is likely to be

received from developers looking at alternative uses, and therefore attaching significant hope value to their bids, which would be a value that is not a fair reflection of the narrow use options being marketed. Accordingly we believe a more appropriate wording would be that marketing should be undertaken *“at a guide price that reflects the prevailing market conditions and the existing use restrictions being imposed (i.e. limiting the use to educational operations which fall within use classes C2 and D1).”*

- 3.7 Whilst we recognise that it is a national policy requirement to engage with the local community, it is in these circumstances considered to be essential, given the social and economic impacts that the use of these sites will have on the village. However this should be a balanced process and it has to be acknowledged that market realities will to an extent dictate what viable uses these various sites and buildings will be put to. Any unrealistic restrictions will only result in these sites laying dormant and detracting from the village as a whole. In striving to avoid the unnecessary delays which are being put forward by ABC our proposed ‘two-stage’ approach to re-wording Policy WYE3 (see Section 4), will enable full stakeholder engagement during the production of development briefs, and during their subsequent adoption as SPD attached to this policy.
- 3.8 The Councils requirement to first formally amend Policy WYE3 and then to have an agreed masterplan adopted as SPD attached to this revised policy will only delay matters further. The majority of these buildings are vacant having already been the subject of a marketing exercise, and these extra policy review stages (and/or waiting for a review of the Core Strategy in 2014) are entirely unnecessary when the facts are clear now. Accordingly we contend that the potential for alternative uses should be built into this site specific policy within this DPD, and suggest an alternative wording at Section 4 below. The council’s proposed wording will simply sterilise this land for longer if, as has already been shown with the marketing to date, there remains little viable interest from genuine educational or institutional users.

(iv)	<p>Policy WYE3 Delete Policy WYE3 and replace with the following revised Policy WYE3 :- The long term future of the buildings, facilities and land at Imperial College campus in Wye (as shown on the Proposals Map as WYE3) shall be the subject of an active and comprehensive marketing campaign for educational and related research and business uses for a minimum continuous period of 6 months with the aim of securing a future for such uses on all or part of the campus.</p> <p>If the marketing campaign demonstrates that such uses are not possible on all or part of the WYE3 area, then a masterplanning exercise encompassing all of the WYE3 area shall be undertaken in order to establish the nature, scale, location and mix of any alternative uses to deliver a high quality, mixed use development. This exercise should inform the first review of the Core Strategy to be adopted prior to the end of 2014 or, alternatively, a formal review of this policy or the adoption of a SPD based on the agreed masterplan.</p> <p>In the meantime, the main educational uses of the campus shall be retained and any development functionally related to the continuation of those uses or the associated agricultural, horticultural or employment uses taking place on the land either side of Occupation Road will be acceptable in principle subject to:-</p> <ul style="list-style-type: none"> a) the scale, design and use being compatible with the character of the area and not being visually intrusive within the AONB; and, b) the development not generating an unacceptable level, or type, of traffic; c) the development not generating an unacceptable level, or type of noise or disturbance, or loss of residential amenity. <p>Development proposals that would prejudice the potential future use of the campus for educational uses and related research and business uses prior to the conclusion of comprehensive and active marketing campaign referred to above will not be acceptable.</p>
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3.9 Although as mentioned above a marketing campaign has already been undertaken in respect of certain parts of the estate, it is accepted that it would be prudent to undertake a further period of marketing in respect of the WYE3 sites. If this further marketing demonstrates that there is no realistic prospect of maintaining an educational use in the future the policy should enable other uses to be brought forward. The appropriate mechanism for identifying those uses would be through the preparation of development briefs.

3.10 We maintain that a comprehensive masterplanning approach for these spatially and functionally separate sites is both inappropriate and undesirable. Whilst some form of development brief would clearly be a useful process for the historic areas at Main Campus North, to enable a thorough exploration of future viable uses for these important historic buildings, it is unnecessary to undertake this process in one document for all of the spatially separate land included within WYE3. Indeed it may very well be that the various sites within WYE3 come forward for different uses at different times, perhaps with some educational or related uses remaining in place. In these circumstances the councils approach is too inflexible and will not allow matters to progress in a fluid manner.

3.11 The Council's requirement for a formal amendment to Policy WYE3, and the subsequent adoption of a masterplan as an SPD attached to this policy, before alternative uses can be pursued, seems

unnecessarily restrictive when the facts are already clear and the opportunity is available now to take a firm policy stance within this DPD. Even more so when you factor in the potential further delay in waiting for the review of the Core Strategy in 2014. Accordingly we have to conclude that the Council's approach unnecessarily sterilises ICL's land and the extra delays proposed will only serve to be to the detriment of the village by sterilising the land for an unnecessarily long period of time. We contend that there should be a provision for the consideration of viable alternative uses for these sites within policy WYE3, which in turn allows Development Brief's to be pursued for each of the spatially separate sites as and when it is appropriate to do so. The current all encompassing masterplan approach is too inflexible, and the requirement to either review Policy WYE3 and then adopt an SPD, or to wait for the Core Strategy review, is flawed and will result in further unnecessary delay.

4.0 Policy WYE3 – Alternative Wording

- 4.1 Given the detailed representations we have made above we propose the following revised wording for Policy WYE3:
- 4.2 **“The long term future of the core buildings, facilities and land at Imperial College London’s Wye Campus (as shown on the Proposals Map at WYE3) shall be the subject of an active and comprehensive marketing campaign for educational uses for a period of six months with the aim of securing a future for such uses on all or part of the campus.**
- 4.3 **Should the marketing campaign demonstrate that there is no realistic and viable market demand for educational uses on all or part of these sites, then alternative uses will be considered. In these circumstances Development Brief’s shall be prepared for each of the spatially separate sites to allow full stakeholder engagement and explore the appropriate mix of uses, scale of any new build development, and necessary infrastructure contributions, with the aim of delivering high quality and sustainable development. These Development Brief’s shall be adopted as SPD attached to this policy.**
- 4.4 **Prior to any conclusive marketing period the core educational uses shall remain and any development functionally related to the continuation of such uses or any associated agricultural, horticultural or employment uses will be acceptable in principle, subject to other development control policies.”**

5.0 Conclusion

- 5.1 Overall we believe the unnecessarily complex approach proposed by the council in this revised wording is flawed and will result in further uncertainty and delay. This can only be detrimental to the life of the village, as a thriving village centre for Wye clearly requires activity at

its heart of which the important historic buildings at Main Campus North are an integral part.

- 5.2 The facts are clear now and as such the proposed policy should make provision for alternative uses to be installed within these various sites, once additional marketing requirements have been fulfilled. Our proposed wording for the policy achieves this balance and provides an appropriately flexible policy approach, meaning there will be no requirement for the policy to be amended in the short term. This approach also avoids any requirement to become embroiled with the Core Strategy review which is considered to be largely irrelevant to the site specific issues being considered by policy WYE3.

Signed on behalf of Savills (L&P) Ltd.

A handwritten signature in black ink, appearing to be "Guy Dixon", written in a cursive style.

Guy Dixon BA(Hons) DipTP MRTPI



APPENDIX 1 – FLOW DIAGRAM

