**J.D.I. Baker - Note of Concerns re. MM3.1 (re. Policy EMP1) in CDLP 19.18**

As set out in my Statement on Matter A (see <https://www.canterbury.gov.uk/media/1275426/Mr-Baker-MA-Statement.pdf>), at the foot of page 2 / top of page 3, draft Main Modification MM3.2 (as it was then numbered, in CDLP16.29.24) is not accurate.

MM3.2 (as it then was) is now numbered MM3.1 in CDLP19.18, with the text materially the same, therefore those comments still relate to it.

The Policy proposal for 0.4 ha. of Employment on the Station Road West / part Main Station car park site does not reflect the City Council's own intentions for the site, as landowner, nor the fact that an office development there is not viable in the planning sense (let alone a warehouse use).

Therefore, this allocation should be deleted from Policy EMP1 - not just modified to create an artificial policy under which a full redevelopment of the 0.4 ha. for B1 and/or B8 uses is proposed *at the same time as* the full retention of existing parking [to say nothing of the recognised need for MORE parking].  This purported combination of a full Employment use and a Car Park use is simply not feasible on this site, and if constructed would be a very large building indeed, out of keeping with the Conservation Area in which it is located.

Moreover, the City Council's intended development of the site for a multi-storey car park and retail shops would fail to comply with the Policy, even as revised by MM3.1.  While the intended redevelopment would satisfy the new triple-asterisked point (added by MM3.1) about retaining parking onsite, it would fail to comply with the rest of the Policy, including by failing to deliver any B1 or B8 use, for which the site is "identified and protected" according to the Policy's first sentence.  Nor would it comply with the Policy's last paragraph, since it would not utilise "the majority of the site" for B1 and B8 uses and provide the shops only as part of a mixed-use development.

In short, Policy EMP1 for this site is now fully out of kilter with the intended use of it for Shops and Parking - and the latter is what the public and representors on the Local Plan, including me, have consistently sought.  Thus the Policy ought now to be changed to reflect the present reality, the landowner's intentions, and representors' wishes.

If the Policy is not further changed as I suggest, the City Council will shortly face the embarrassment that its widely-supported forthcoming planning application for a multi-storey car park and retail units on the site is clearly contrary to its own newly-adopted Local Plan policy.  This would create inappropriate and wholly unnecessary hurdles to obtaining planning permission for the car park / shops scheme, including the fact that the development includes retail use other than in a town centre and not in accordance with a Plan Policy, thus potentially triggering the requirement to refer the application to the Secretary of State under Circular 02/09: The Town and Country Planning (Consultation) (England) Direction 2009.  This would, of course, create unnecessary extra work, delay and uncertainty (even if not an actual call-in) in progressing the development, which could all be avoided by modifying the Policy wording now.

Therefore, I ask that MM3.1 be revised in order to remove the Station Road West Employment allocation from Policy EMP1.  Given the "healthy surplus of employment land" (CDLP1.1, para. 3.33), this deletion should have no adverse consequences at all.

J.D.I. Baker.

14 September 2016.