



**Policy, Finance and
Development
Committee**

**Tuesday, 16 June
2020**

**Matter for
Information and
Decision**

Report Title: **Identified Employment Land Supplementary
Planning Document (SPD) Review**

Report Author(s): **Jamie Carr (Planning Policy Manager)**

Purpose of Report:	This report is seeking Member approval on the draft Identified Employment Land Supplementary Planning Document for public consultation.
Report Summary:	<p>On 22 January 2020, a report was taken to Place Shaping Working Group (to which all Members were invited) to update Members on the Council's current policy position in relation to the Borough's Identified Employment Land.</p> <p>On 29 April 2020, a draft Identified Employment Land Supplementary Planning Document (SPD) was sent out to all Members seeking their comment.</p> <p>Since 29 April 2020, Members have responded with comments and in response to these Member comments a number of changes have been made to the draft Identified Employment Land SPD.</p> <p>This report summarises the changes made.</p>
Recommendation(s):	That the draft Identified Employment Land Supplementary Planning Document (as set out at Appendix 1) be approved for public consultation beginning the week commencing 22 June 2020 for an 8-week period.
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	<p>Stephen Hinds (Deputy Chief Executive) (0116) 257 2681 stephen.hinds@oadby-wigston.gov.uk</p> <p>Adrian Thorpe (Head of the Built Environment) (0116) 257 2645 adrian.thorpe@oadby-wigston.gov.uk</p> <p>Jamie Carr (Planning Policy Manager) (0116) 257 2652 jamie.carr@oadby-wigston.gov.uk</p>
Corporate Objectives:	Building, Protecting and Empowering Communities (CO1) Growing the Borough Economically (CO2)
Vision and Values:	<p>"A Stronger Borough Together" (Vision)</p> <p>Accountability (V1)</p> <p>Teamwork (V3)</p> <p>Innovation (V4)</p> <p>Customer Focus (V5)</p>

Report Implications:-	
Legal:	There are no implications arising from this report.
Financial:	There are no implications arising from this report.
Corporate Risk Management:	Regulatory Governance (CR6) Economy / Regeneration (CR9)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
Statutory Officers' Comments:-	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
Consultees:	None.
Background Papers:	<ul style="list-style-type: none"> • Borough of Oadby and Wigston Local Plan (April 2019)
Appendices:	1. Identified Employment Land SPD - Consultation Document 2020

1. Introduction

- 1.1 Supplementary Planning Document's (SPD's) are documents which add further detail to the policies set out within the Council's new Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design or changes of use. SPD's do not form part of the Council's development plan, however they are a material consideration in the planning decision making process. They are equally important documents for both the proposer of development and the decision maker (in this case the Council).
- 1.2 The Identified Employment Land Supplementary Planning Document Consultation Document is an update to the existing Employment Sites SPD that was adopted by the Council in September 2011.
- 1.3 The SPD takes account of updated local planning policy set out in the Council's adopted Local Plan (2019), updated evidence base underpinning the Local Plan and national planning policy and guidance set out in the National Planning Policy Framework and National Planning Practice Guidance.
- 1.4 The SPD is a planning policy document that focuses specifically on the Identified Employment Areas within the Borough of Oadby and Wigston. The document seeks to supplement the related policies set out within the Council's adopted Local Plan, as well as offering advice and guidance to any prospective development proposal situated within any of the Borough's Identified Employment Areas, as to how the requirements of the Local Plan can be met. Alongside the Local Plan, this SPD will help the Council approach all

planning decisions in a positive, consistent and robust way.

- 1.5 In addition, the SPD seeks to help deliver the vision and objectives of the Council's Local Plan and Corporate Plan as well as its Economic Development objectives. The Council is committed to achieving these objectives and seeks to actively encourage new suitable employment development within the Borough, coupled with retaining a suitable supply of developable land for employment.
- 1.6 The purpose of the Council's adopted policy position set out in the Local Plan and the draft SPD is not to restrict appropriate development or make it difficult for an applicant to conform; rather it is to seek appropriate development that is achieved in a considered and managed way.
- 1.7 It is important to reiterate that the intention of the SPD is to make it easier to implement the Council's adopted policy, regularise the current situation on some employment sites and to enable a flexible but fair approach in the long term. The SPD is not adding any additional local planning policy requirements; it is seeking to provide guidance for applicants on how the Local Plan Policy 25 can be met, and help the Council to make consistent and informed decisions.

2. Overview of Supplementary Planning Document

- 2.1 Within the Borough area, the Council is required to ensure that sufficient land is available for a number of different uses, including, housing, retail, leisure and employment.
- 2.2 The term 'employment use' is a term that has been embedded within the Planning System for many years, and refers to any use falling within a B Class Use as defined within the Town and Country Planning (Use Classes) Order 1987 (as amended). Uses falling within the B Class Use comprise;
 - B1 Business – Offices (other than those that fall within A2), research and development of products and processes, light industry appropriate in a residential area.
 - B2 General industrial – Use for industrial process other than one falling within class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste), and
 - B8 Storage or distribution – This class includes open air storage.
- 2.3 It should be noted that in planning terms, 'employment use' does not refer to any activity that provides employment. It relates specifically to those uses mentioned above which are uses that need to be located together and which it would not be appropriate to locate in, for example, a predominately residential area.
- 2.4 To ensure that the Borough area has sufficient land supply of much needed B Class Uses, the Council designates specific areas known as 'Identified Employment Areas'. The Borough area has 8 such areas (Magna Road in South Wigston, Tigers Close in South Wigston, Chartwell Drive in Wigston, Gloucester Crescent in South Wigston, St Thomas Road in South Wigston, North Street in Wigston, Cross Street in Oadby, and Kenilworth Drive in Oadby).
- 2.5 Alongside the Health and the Education sectors, manufacturing employs the highest number of people within the Borough area (13.2 per cent each). The 'employment sector' (B Class Uses) as a whole employs over 20 per cent of all those people with jobs in the Borough. Thus, employment businesses are vitally important to the Borough's workforce.
- 2.6 The Identified Employment Areas within the Borough have been designated for over 20 years and are areas that have the highest concentration of larger scale, long standing

employment uses. It is a priority, at both a local and national level, for these areas to be safeguarded from inappropriate development that negatively affects the critically important role that they play within the local economy. It is important to note, that once lost or diluted, it is very difficult to replace Identified Employment Areas. In addition, due to the nature of employment uses, for example, the times at which they operate and the regular vehicle movements, it is fitting to have all such uses within the same areas.

- 2.7 National policy and guidance suggests that local authorities should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. The Council does not do this and in order to manage our approach the Local Plan includes a hierarchy of Identified Employment Area categories. Each of the Identified Employment Areas within the Borough has been assessed and has been classified within a specific category. The site categories are 'Core', 'Base' and 'Release'. Each of the three categories are defined within the SPD and the Employment Land and Premises Study.
- 2.8 Identified Employment Areas that are classified as 'Core', are the most important employment areas within the Borough, perform very well and are predominately within B Class Use. Any proposal for development of a non B Class Use on Identified Employment Areas classified as 'Core' will not be permitted. There is no flexibility allowed for on 'Core' sites. Identified Employment Areas that are classified as 'Base' are still very important employment areas within the Borough, but allow for a level of flexibility of non B Class Use development, subject to an adopted criteria set out in the Council's Local Plan.
- 2.9 Alongside the Council's adopted Local Plan (specifically Policy 25 – Protecting Identified Employment Areas), the SPD seeks to set out how the flexibility can be applied on Identified Employment Sites that are not classed as Core.
- 2.10 The SPD has not only been produced to aid applicants submitting proposals for change of use within Identified Employment Areas, but also to aid the Council in its decision making when considering a planning application relating to development within Identified Employment Areas. The document will also help regularise existing non B Class Uses on Identified Employment Areas.
- 2.11 In addition to supplementing the policies set out within the Council's adopted Local Plan, the SPD provides advice and guidance to any prospective developer as to how the requirements of the Local Plan can be met. The SPD responds to Member's queries and questions arising from previous Development Control Committees and Place Shaping Member Working Group in the following ways:
- sets out the minimum levels of information, justification and evidence that the Council would require from an applicant if a proposal is for development of a building and / or a site situated within an Identified Employment Area.
 - breaks down Local Plan Policy 25 into 'bitesize' chunks to aid understanding of - (a) what the policy expectations are, and (b) what is needed from an applicant to ensure that the development proposal conforms to policy.
 - sets out specific advice and guidance in relation to the 'bitesize' chunks of; the Sequential Test; Ancillary and Complimentary Uses; the Use of Upper Floors; Core Designated Identified Employment Areas; and, Base Identified Employment Areas.
- 2.12 The specific advice and guidance chapter will be most relevant when (a) applicants submit planning applications for development within the Identified Employment Areas, and when (b) the Council is deciding on applications for planning permission for development proposals situated within Identified Employment Areas.
- 2.13 The SPD is set out to be open and transparent, so that, as soon as an applicant is aware

that Local Plan Policy 25 applies to their planning application, it will provide clarity as to the levels of detail and information that is required to evidence their application.

3. Changes Made to Supplementary Planning Document Post Member Consultation

3.1 Since the 29th April 2020 when the Members consultation began, Members have responded with comments.

3.2 A number of changes have been made to the draft Identified Employment Land SPD in response to the Member comments.

3.3 A summary of the changes made to the SPD are set out below.

- A number of additional paragraphs were added to highlight the use of material considerations during the decision making process. In particular, that site history can be taken into account during the decision making process if it is appropriate to do so. Such a change will help regularise the situation regarding existing non B Class Uses on the Identified Employment Areas.
- An additional paragraph was inserted within the Ancillary/Complementary section to further explain what is expected from an applicant.

3.4 In addition to the changes made to the SPD, and in response to the Members consultation, Members have also been provided with further information in relation to a number of points, including;

- the current number of non B Class Uses on the Kenilworth Drive Industrial Estate;
- whether Kenilworth Drive Industrial Estate was still 'fit for purpose' as an employment area;
- the Sequential Test and the national policy criteria;
- whether it was appropriate to locate residential development on Identified Employment Areas;
- whether certain policy bullet criteria was too onerous; and,
- do employee numbers have to be calculated for every submitted application;

3.5 When the draft SPD is out for public consultation, commercial agents will be specifically consulted about the information that is being required by the Council in relation to the policy bullet criteria, in particular marketing.

3.6 It should also be noted that the Identified Employment Areas maps contained within the SPD have been updated from the draft document that was sent around to Members on 29 April 2020.

4. Next Steps

4.1 If approved by Members for public consultation, the SPD will be on public consultation from the week beginning 22 June 2020 for an 8 week period. The consultation will be undertaken inline with the Council's Statement of Community Involvement and the governments recently published notifications in relation to consultation. Further, commercial agents will be specifically asked for comment.

4.2 All comments received during this consultation period will be taken account of and the document will be revised where relevant, to produce a final draft document.

4.3 It is anticipated that the final draft document will be submitted to Full Council on the 29 September 2020 for adoption.

5. Conclusion

- 5.1 To ensure that the draft SPD is robust and accurate, it is recommended that Members approve it for an 8 week public consultation. The consultation will allow those with expert knowledge in the employment, commercial and industrial sectors the opportunity to comment and help shape the final SPD.