



<b>Full Council</b>	<b>Tuesday, 29 September 2020</b>	<b>Matter for Information and Decision</b>
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**Report Title:** **Identified Employment Land Supplementary Planning Document (SPD)**

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

<b>Purpose of Report:</b>	This report is seeking Member approval to adopt the Identified Employment Land Supplementary Planning Document (SPD).
<b>Report Summary:</b>	<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>From the 29 April 2020, Members responded with comments and in response to these Member comments a number of changes were made to the draft Identified Employment Land SPD.</p> <p>On Friday 26th June 2020 the draft Identified Employment Land SPD was published for public consultation after approval by Members at Policy, Finance and Development Committee. The consultation ran for an 8 week period until Friday 21 August 2020. During the consultation comments were received and the draft document has been amended accordingly.</p> <p>All comments received during the consultation and subsequent amendments to the SPD are set out within the attached 'Statement of Consultation 2020'.</p>
<b>Recommendation(s):</b>	<b>That the Identified Employment Land Supplementary Planning Document (set out at Appendix 1) be adopted.</b>
<b>Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):</b>	<p>Stephen Hinds (Deputy Chief Executive) (0116) 257 2681 <a href="mailto:stephen.hinds@oadby-wigston.gov.uk">stephen.hinds@oadby-wigston.gov.uk</a></p> <p>Adrian Thorpe (Head of the Built Environment) (0116) 257 2645 <a href="mailto:adrian.thorpe@oadby-wigston.gov.uk">adrian.thorpe@oadby-wigston.gov.uk</a></p> <p>Jamie Carr (Planning Policy Manager) (0116) 257 2652 <a href="mailto:jamie.carr@oadby-wigston.gov.uk">jamie.carr@oadby-wigston.gov.uk</a></p>
<b>Corporate Objectives:</b>	<p>Building, Protecting and Empowering Communities (CO1)</p> <p>Growing the Borough Economically (CO2)</p>

<b>Vision and Values:</b>	"A Stronger Borough Together" (Vision) Accountability (V1) Teamwork (V3) Innovation (V4) Customer Focus (V5)
<b>Report Implications:-</b>	
Legal:	There are no implications directly arising from this report.
Financial:	There are no implications directly 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.
<b>Statutory Officers' Comments:-</b>	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
<b>Consultees:</b>	None.
<b>Background Papers:</b>	<a href="#">Oadby and Wigston Borough Local Plan Policy, Finance and Development Committee Report (16/06/2020)</a>
<b>Appendices:</b>	<ol style="list-style-type: none"> <li>1. Identified Employment Land SPD (2020)</li> <li>2. Statement of Consultation (2020)</li> </ol>

## 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 adopted 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 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.
- 1.8 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.
- 1.9 On 29 April 2020, a draft Identified Employment Land Supplementary Planning Document (SPD) was sent out to all Members seeking their comment.
- 1.10 From the 29 April 2020, Members responded with comments and in response to these Member comments a number of changes were made to the draft Identified Employment Land SPD.
- 1.11 On Friday 26th June 2020 the draft Identified Employment Land SPD was published for public consultation after approval by Members at Policy, Finance and Development Committee. The consultation ran for an 8 week period until Friday 21st August 2020. During the consultation, comments were received and the draft document has been amended accordingly.
- 1.12 In cooperation with the Council's communications department, notice of the consultation was;
  - sent to every Council Member;
  - sent to every statutory consultee;
  - sent to every stakeholder on the Council's Local Development Framework database (circa 280);
  - advertised on the Council's website and digital display screens;
  - consistently advertised on all of the Council's social media outlets, including twitter and Facebook;
  - sent to the Leicester and Leicester Enterprise Partnership; and

- sent out to over 400 businesses via OWBC Biz;

- 1.13 In addition to the advertising mentioned above, it was agreed with Members that the Council would contact local experts in employment sales and marketing as part of the consultation process. The Council contacted five commercial agents that had expertise in employment development, employment sales and employment marketing. Although five agents were contacted asking for their time on a telephone meeting, only two responded to the Council suggesting meeting dates. After the initial contact, due to other commitments, only one agent was able to meet (over the phone) with the Council. Although, only one telephone meeting took place, the meeting was extremely insightful and did lead to positive changes to the consultation document.
- 1.14 All comments received during the consultation and subsequent amendments to the SPD are set out within the attached 'Statement of Consultation 2020'.

## **2. Summary of Comments Received**

- 2.1 During the public consultation a total of nine persons / bodies submitted representations to the Council relating to the revised Identified Employment Land SPD. Representations were received from Milners Bakery, Sport England, Tone Consultancy, ESP Utilities, the Environment Agency, National Grid, Severn Trent, Natural England, and Historic England. In addition to the representations received, conversations were had with a commercial agent, Pygott and Crone. To note, five commercial agents were contacted regarding the document, however only one was willing to have a conversation about the draft SPD and provided comment.
- 2.2 Of the persons / bodies that either submitted representations or the Council had conversations with, eight did not suggest any changes to the Identified Employment Land SPD as drafted, although of the eight, some standing advice was given that should be taken account of during the planning application process. No significant changes were made to the draft SPD stemming from these comments received.
- 2.3 Amendments however were suggested by two of the organisations that provided comments – Tone Consultancy and Pygott and Crone. A summary of the comments received are outlined below;
1. How will a proposal for change of use from B Class employment use to a use relating to a specific faith related community centre be assessed?
  2. The term 'significant community benefits' needs defining. See bullet 3 and 4 of summary of amendments below.
  3. Is the information set out within paragraphs 3.36 to 3.44, that requires a certain level of information from a marketing strategy, there to put extra burden on an applicant?
  4. It is understood why the Council is requesting such information within an application, however does this put additional cost burden on an applicant / business?
  5. It was mentioned, that in terms of marketing of a property, 6 months may be a more reasonable period rather than the 12 months specified, as Rate Relief for empty buildings tended to be for either a 3 or 6 month period depending on the type of property...ie Office is generally 3 months and industrial is generally 6 months. See bullet 5 of summary of amendments below.
  6. It was suggested that bullet 6 under paragraph 3.39 could be removed, as the points are picked up in bullets 4 and 5; also, if the property is being marketed online, once a

web-link is removed a copy of the advert may no longer be available. See bullet 6 of summary of amendments below.

7. Although it was acknowledged that it is not meant to ask for personal information, the existing wording of bullet 8 under paragraph 3.39, could be seen as requiring personal details of those who have expressed an interest in the property and / or land. See bullet 7 of summary of amendments below.
8. In relation to the information required within paragraph 3.42 and 3.43, it was suggested that this type of work would require specific Quantity Surveyor advice and could be a costly exercise if the applicant was just doing it to conform to the requirements and wasn't actually necessarily looking to redevelop the site. It was suggested that the Council should dictate that the applicant discusses these requirements at a Pre-app stage and it is this Pre-app discussion that dictates what would be required of the applicant in relation to Bullet 5 of the Local Plan Policy. See bullet 8 of summary of amendments below.
9. It was also suggested that the term 'robust' within paragraph 3.42 and 3.43 could be construed as being overly onerous. Whereas, just saying evidence should suffice. See bullet 9 of summary of amendments below.
10. The timescales set out for maintenance evidence within paragraph 3.44 are onerous, it was suggested that 2 year time period would be more appropriate. See bullet 10 of summary of amendments below.

2.4 Amendments were made to the Identified Employment Land SPD in response to the suggested changes. A summary of the amendments are set out below, however full changes are illustrated within the attached 'Statement of Consultation 2020'.

### **3. Summary of Amendments Made**

3.1 As mentioned above, amendments have been made to the SPD taking account of the consultation comments received. The below summarises the main changes made.

1. An additional sentence has been added to paragraph 1.10 to suggest that an applicant should check with the appropriate statutory stakeholders to find out whether or not there are any restrictions relating to the site or the proposed development in relation to gas, electricity and water supplies. This was amended due to standing advice from Severn Trent and ESP Utilities.
2. Paragraph 3.19 was reworded slightly to remove the request for 'minimum' levels of information required. It was reworded to suggest the sort of information that would be required. This was amended through advice from Pygott and Crone.
3. An additional sentence was added to paragraph 3.29 to state that each application will be assessed on its own merits rather than a standardised approach to each application, as the Council is aware that benefits stemming from one application can be different to another application, yet they both produce benefits. This was amended from queries raised by Tone Consultancy.
4. A new paragraph has been added (3.34) to define what the SPD means when it specifies 'community' and 'significant benefit'. This was added from queries raised by Tone Consultancy.
5. An additional sentence has been added to paragraph 3.36 to suggest that there may be some flexibility in the length of time that a property is marketed for, if it has been

empty for a period of time already. Such flexibility will be on a case by case basis and would be agreed during the pre-application process. This was amended through advice from Pygott and Crone.

6. Bullet point 6 under paragraph 3.40 has been removed. This was amended through advice from Pygott and Crone.
7. The now bullet point 7 has been reworded so that there is now no confusion as to whether personal information was required. The wording clarifies that it is not personal information required. This was amended through advice from Pygott and Crone.
8. Paragraph 3.43 has been reworded to remove the requirement for minimum levels of detail. The wording now states that applicants should discuss the proposal with the Council through pre-application discussions; and it is these pre-application discussions that will determine the levels of information required, as not all proposals will require the same levels of information in support. This was amended through advice from Pygott and Crone.
9. In all bullet points under paragraph 3.43, the word 'robust' has been removed. Also bullet points 5 and 8 have been removed. These bullet points referred to detailed costings being required relating to redevelopment or refurbishment of the site / premises. To note, this information may still be required, however not in all cases, and will be determined at the pre-application stage. This was amended through advice from Pygott and Crone.
10. Paragraph 3.45 has been amended to require a minimum of 2 years maintenance evidence rather than 10 years worth of maintenance evidence. This was amended through advice from Pygott and Crone.

#### **4. Conclusion**

- 4.1 The Identified Employment Land Supplementary Planning Document has been amended to take account of comments received during the public consultation. All of the amendments made seek to make the guidance contained within the document simpler and more effective, and the process which applicants need follow easier to understand. A number of the amendments made to the document should allay Members previous concerns that some of the evidence requested was too onerous. Now, rather than requiring all evidence on every application, applicants are asked to converse with the Council from the outset, where the requirements for evidence will be discussed and agreed on more of a case by case basis.
- 4.2 It is recommended that the Identified Employment Land Supplementary Planning Document as currently drafted is adopted by Members. Upon adoption, the SPD document will become a material consideration to all planning application proposals situated on any of the Borough's Identified Employment Areas, as designated on the Council's Adopted Policies Map.