

## LOCAL PLAN REVIEW

## DEVELOPMENT STRATEGY OPTIONS AND POLICY OPTIONS - JANUARY TO MARCH 2022

**Q10 – WHICH OPTION FOR ENSURING A CONTINUITY OF EMPLOYMENT LAND SUPPLY DO YOU PREFER? IS THERE A DIFFERENT OPTION WHICH SHOULD BE CONSIDERED?**

The comments and criticisms given for Option 1 are:

<b>Comment/criticism</b>	<b>NWL officer response</b>
Once reserve sites are identified, there will be increasing pressure to release them.	The policy would include trigger clauses however, as identified elsewhere, these can be difficult to formulate.
Option 1 does not accord with NPPF paragraph 82(d) as it does not provide sufficient flexibility or adaptability in the plan. Trigger points will be difficult to formulate, there are complications around when sites need to be brought forward and different sites will be needed to suit different purposes. Reserve sites must also be demonstrably deliverable.	Reserve sites, if selected as an approach, would not be the only way flexibility would be incorporated in the Plan. The requirement figures include a flexibility allowance and the choice of employment land strategy can also ensure there is a choice of sites and locations available for employment development.  It is accepted that trigger points can be difficult to formulate. It is also agreed that reserve sites must be deliverable at the point they are likely to be required.
Reserve sites (if selected) must be included in the assessment of transport impacts (LCC)	Agreed.
Option 1 would create uncertainty, particularly in terms of the circumstances and timeframe within which reserve sites might be brought forward. It might also create a perverse situation whereby an occupier with a specific need well suited to a reserve site cannot be accommodated because unsuitable allocated land remains.	The circumstances for sites' release would be set out in a policy. It is accepted that an individual reserve site may not necessarily be suitable for every occupier need which could arise.

The comments and criticisms given for Option 2 are:

<b>Comment/criticism</b>	<b>NWL officer response</b>
A buffer of c. 10% should be added to the requirement.	Noted.
Option 2 would decrease certainty in the short term but potentially increase confidence in long term infrastructure for specific locations (Severn Trent).	This option would result in more land being allocated (to match a higher requirement figure) and, of itself, this would provide more certainty than Options 3 and 4 for example.

The criticisms/comments given for Option 3 are:

<b>Comment/criticism</b>	<b>NWL officer response</b>
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<p>This option is contrary to the spirit of national policy which requires policies to be flexible and support the economy. The resulting policies would be unable to deal with changes in employment needs in a timely way.</p>	<p>It is agreed that this option would not be sufficiently responsive to deal with an immediate and unanticipated changes in circumstances.</p>
<p>It is contrary to NPPF paragraph 20 (strategic policies should make sufficient provision for employment) and would prejudice an overall employment land strategy which considers both homes and jobs.</p>	<p>Sufficient land will be allocated to meet the expected need for general employment land measured in the Stantec study, plus a flexibility allowance and this should ensure the Local Plan Review complies with the quoted section from the NPPF. However, there is an additional issue concerning unanticipated needs to be considered.</p> <p>The numerical relationship between homes and jobs has been explored through the Leicester &amp; Leicestershire authorities' Statement of Common Ground whilst the geographical relationship is a factor in the assessment of employment strategy options</p>
<p>Option 3 misses an opportunity to plan for cumulative transport impacts (LCC). For water infrastructure this approach could give short term certainty but could inhibit longer term improvements to waste water infrastructure. (Severn Trent)</p>	<p>Noted. Under this option cumulative transport impacts would be considered by means of the Strategic Transport Model but it would be less effective at taking a longer-term approach to infrastructure compared with Option 1 for example.</p>
<p>This option defers the problem. It is to be expected that the issue is reassessed at the time of the local plan on the basis of new evidence and market circumstances change but that should be a process of recalibration from a robust starting point. Investment decisions, planning and development process for large scale employment schemes can take 5+ years and so a robust, positive, and long-term strategy provides market certainty which is essential to securing continuity of supply.</p>	<p>This option is effectively a 'do nothing' option as 5 yearly reviews happen in any event. It is not automatically the case that Option 3 is inconsistent with taking a long-term view however it is agreed that this option is not best placed to deal with an immediate and unanticipated change in circumstances.</p>

The criticisms/comments given for Option 4 are:

<b>Comment/criticism</b>	<b>NWL officer response</b>
<p>Approving applications from developers that meet certain criteria has led to undesirable developments outside allocated areas.</p>	<p>It is recognised that Policy Ec2 in the existing Local Plan has resulted in applications being approved which are unpopular with some residents and Members.</p> <p>Bearing in mind that the NPPF requires Local Plan policies to be "flexible enough to accommodate needs not anticipated in the plan" (Paragraph 82d), the Local Plan needs to address this expectation in some form.</p>
<p>Option 4 on its own does not provide conditions for a clear strategy for employment that</p>	<p>This matter relates to the approach to unanticipated needs. The plan will contain a</p>

business could plan under nor would it plan positively for the spatial relationship between for homes and jobs.	clear strategy for employment. The numerical relationship between homes and jobs has been explored through the Leicester & Leicestershire authorities' Statement of Common Ground whilst the geographical relationship is a factor in the assessment of employment strategy options
Policy Ec2(2) is especially relevant to proposals for road-related transport, haulage and associated small-scale storage uses which cannot compete with high-value industrial land-uses and are not suitable on land allocated for business park development.	Noted.
This option will result in standalone sites coming forward and necessary improvements to water infrastructure may not be deliverable (Severn Trent)	Noted. This option could be less effective at taking a longer-term approach to infrastructure compared with Option 1 for example.
For this to be acceptable there would need to be safeguards to ensure site selection was rigorous.	Agreed. The policy would contain clear criteria.

A number of more general comments were made in response to this question.

<b>Comment</b>	<b>NWL officer response</b>
Continuity of supply is also relevant for strategic distribution. The Local Plan must address a full range of needs across all sectors, including smaller industrial and warehouse premises as well as strategic distribution and strategic industrial requirements. It is not enough simply to identify a sufficient quantum of land; allocations and supporting policy must also be flexible enough to ensure the whole market is catered for on an ongoing basis.	Re strategic distribution – this is a matter being dealt with by the on-going joint work with L&L authorities. Re range of needs – noted. It may be appropriate to specify which sites are allocated for strategic B8, which are for general needs and which are for a mix.
Supply must comprise the right land in the right place at the right time to meet the full range of needs.	Noted.
Policy for re-use of existing employment land already allocated must form part of the Local Plan before new sites are allocated.	The main existing employment areas are identified in Policy Ec3 of the adopted Local Plan. Policy Ec3 gives in principle support to develop vacant areas within these industrial estates for offices, industry and warehousing uses. However, the overall amount of vacant land is small and insufficient for the economic growth expected to 2040. Additional land must be identified and allocated in advance.
Most of Leicester City's unmet employment needs should be focused on the 5 authorities which border the city provide a more sustainable solution from a travel and availability of workforce perspective.	The Statement of Common Ground between the Leicester and Leicestershire authorities, if agreed, would see Charnwood BC accommodating Leicester City's unmet employment need.

Cannot access the consultation documents etc.	Noted.
Land should stay in agricultural use. Brownfield and vacant sites should be used first. Further development is not needed.	We have robust evidence that more land for employment uses will be needed to match planned economic growth to 2040. This is over and above the land which is already being used for these purposes and any vacant brownfield sites. It is unavoidable that some greenfield land will be needed for development in the future.
The focus should be on high pay/technical employment rather than warehousing.	Noted however it is generally appropriate to plan for a range of future employment in terms of sectors and skills levels.

**Q13 – WHICH POLICY OPTION FOR EMPLOYMENT LAND PROPOSALS ON UNIDENTIFIED SITES DO YOU PREFER? IS THERE A DIFFERENT OPTION WHICH SHOULD BE CONSIDERED?**

The comments and criticisms of the Options are:

<b>Comment/criticism</b>	<b>NWL officer response</b>
Option 1 is contrary to NPPF para 82(d) to provide flexibility and introduce planning policies that can adapt to changes over the plan period. Options 3-8 would remove flexibility, contrary to paragraph 82(d) and the spirit of the NPPF.	The NPPF does not prescribe how a Local Plan should achieve the requirement for flexibility. A variety of approaches could be taken, according to local circumstances so it is not accepted that the options cited are automatically contrary to the NPPF.
Option 3 may be difficult to enforce and would limit flexibility and policy responsiveness. A site is earmarked for a specific end user is sometimes discounted from the employment figures at appeal as it is not open to the market although it is clearly delivering for an employment land need	Having a specific named user enables the actual business requirements to be more easily explained and assessed through the planning application process. Also, a function of Ec2(2) is to deal with proposals which are unpredictable or exceptional and are thereby outside the needs measured in the evidence base.
Option 5: It would be unreasonable to expect an applicant for smaller-scale proposals to search for alternative sites outside the District which might lead to the loss of employment opportunities.	Agreed. The policy could require a wider search area for Strategic B8 proposals but not for smaller scale proposals .
Options 3 and 5-8 are too restrictive and will put the district at a disadvantage in attracting good quality employment provision.	A function of Ec2(2) is to deal with unpredictable or exceptional needs. The Local Plan Review will also identify sufficient amount and variety of sites to match the forecast growth in the local economy.

The comments and criticisms of the wording of Policy Ec2 are:

<b>Comment/criticism</b>	<b>NWL officer response</b>
Policy Ec2 is too permissive: <ul style="list-style-type: none"> <li>• Demand is a poor term to use in the policy. Submission of a planning application is taken as evidence of demand.</li> <li>• Applications can be speculative with no named end user</li> <li>• Applicants do not need to prove that a particular size of unit is necessary.</li> <li>• Alternative sites outside the district do not need to be considered</li> </ul>	<ul style="list-style-type: none"> <li>• A definition of what is meant by the term demand can be included in the plan’s supporting text.</li> <li>• A speculative development can still be meeting an immediate need or demand</li> <li>• Based on recent applications, adequate information has been submitted to demonstrate the demand for the units of the size proposed.</li> <li>• See above re Option 5.</li> </ul>
Remove the reference to ‘immediate’ to allow the plan to deal with need or demand over the entire plan period. Or expand on the meaning of the term ‘immediate’ by introducing a timescale and/ or base it upon a fixed floorspace supply position. This will ensure that the trigger for releasing speculative	An explanation of the term ‘immediate’ can be included in the supporting text.

development to address need and demand would provide greater clarity to developers looking to bring forward development.	
Ec2 should be expanded to allow employment development that requires specific uses, such as around air (airport), road (M1), and rail (EMG) locations that cannot be located elsewhere in the region on allocated sites.	If justified, this could be dealt with under the 'demand' requirement of the policy.
Revised Ec2 should be linked to climate change policy and take account of climate change implications	The Local Plan is taken as a whole and proposals considered under Ec2(2) will be subject to the Plan's other relevant policies including those relating to climate change as appropriate.
The development industry will not deliver buildings for which there is no demand.	Noted

Some general comments were made about Policy Ec2:

<b>Comment/criticism</b>	<b>NWL officer response</b>
The need for an Ec2 type policy is greatly reduced if the LPR takes a robust, comprehensive and positive approach to the planned delivery of employment land, having first properly quantified that requirement.	Noted. It is the intention that Ec2(2) would apply to exceptional circumstances and would help to address NPPF requirements.
Whilst in general terms the provision of space to attract high-value occupiers is to be encouraged that should not be to the exclusion of premises to meet the full spectrum of requirements.	Policy Ec2 in its current form does not distinguish between types of employment.
A policy like Ec2 can make the delivery of infrastructure improvements more difficult to plan for (Severn Trent).	Noted. There is inevitably a degree of uncertainty with any form of windfall development be it housing, employment or other uses. The infrastructure requirements resulting from individual applications will be addressed through the replacement to Policy IF1.

A number of more general comments were also made in response to this question.

<b>Comment</b>	<b>NWL officer response</b>
Current Ec2 has resulted in a sprawl of warehousing in the district and an increase of car-borne commuting into NWL. Stop building on greenfield land/use brownfield sites. Sites should be where people can walk or cycle.	We have robust evidence that more land for employment uses will be needed to match planned economic growth to 2040. This is over and above the land which is already being used for these purposes and any vacant brownfield sites. It is unavoidable that some greenfield land will need to be identified to match the growth of the economy.

	The availability of sustainable transport options is one of the considerations when assessing the planning merits of sites.
The policy of integrating residential employment along with industrial development is wrong for residential amenity	The criteria in the adopted Local Plan Policy EC2(2) include consideration of the impact on nearby residential properties.
If you don't use any land for employment you won't have to build more houses.	This is not the case. The housing requirement figure depends on factors such as natural household growth from within the district (i.e., the difference between births and deaths) and affordability.
Cannot find the relevant consultation documents	Noted.

**Q14 – WHICH POLICY OPTION FOR START-UP WORKSPACE DO YOU PREFER? IS THERE A DIFFERENT OPTION WHICH SHOULD BE CONSIDERED?**

The comments and criticisms relating to the Options are:

<b>Comment/criticism</b>	<b>NWL officer response</b>
Option 2 would not be appropriate in most single occupier sites and would not work at all on strategic warehousing sites.	Agreed. The policy would need to allow for situations where the provision of start-up units would simply not be feasible.
Option 3 - It would be difficult to impose specific size thresholds and percentage requirements. Requiring a financial contribution is unlikely to be appropriate unless the Council sets itself up as a provider of such space.	Agreed in part. 'Major development' is statutorily defined and as such is considered to represent a reasonable policy threshold, subject to appropriate caveats including in respect of viability.
Option 3 - Any requirement should be proportionate to the overall development and not compromise the overall scheme viability. The mix and quantum of start-up and grow-on premises should respond to market demand and supply. If there is found to be no demand, through market testing, then its development would serve no end.	Agreed in part. The proposed policy approach does not prescribe a percentage of start-up units. It is also recommended that the Plan's supporting text sets out information on the types of circumstances which could justify nil provision.
Option 5 - there is enough brownfield land available to be used for industrial use without needing to go into the countryside	We have robust evidence that more land for employment uses will be needed to match planned economic growth to 2040. This is over and above the land which is already being used for these purposes and any vacant brownfield sites. It is unavoidable that some greenfield land will need to be identified to match the growth of the economy

A number of more general comments were made in response to this question.

<b>Comment</b>	<b>NWL officer response</b>
Supporting start-up businesses in rural communities is important for them being sustainable and thriving communities.	Noted.
If a new settlement is to be favoured as a development option, then some specific start-up provision may be needed as part of the employment provision for such a site to ensure residents looking to start a business have 'on site' options rather than being forced to look/travel further afield (which would increase car-dependence).	Agreed. This is suggested as part of the policy approach.
Start-up premises should be in areas of high unemployment	Unemployment levels in NWL are currently low however we have evidence of a latent demand across the district for more industrial start-up premises.
Not all business start-ups have a prolonged business life. Putting start-ups near existing	The higher failure rate for start-up businesses is part of the reason why the market is less



<p>warehousing would be a good idea then they have a logistic package on their doorstep. Each idea should be taken on it's own merits and a guarantee of a five year minimum trading life obtained.</p>	<p>inclined to build appropriate premises which is why a planning policy intervention is considered justified. Including start-up premises as part of a mix of units would mean a range of business needs could be met on the same site but mixing start-units with strategic-scale warehousing is not considered appropriate.</p>
<p>Cannot access the consultation documents etc.</p>	<p>Noted.</p>
<p>Oppose the development of greenfield sites. We have enough development. There are plenty of vacant and brownfield sites</p>	<p>We have robust evidence that more land for employment uses will be needed to match planned economic growth to 2040 including for more start up workspace. This is over and above the land which is already being used for these purposes and any vacant brownfield sites. It is unavoidable that some greenfield land will be needed for development in the future.</p>

**Q15 – WHICH POLICY OPTION FOR A LOCAL EMPLOYMENT POLICY DO YOU PREFER? IS THERE A DIFFERENT OPTION WHICH SHOULD BE CONSIDERED?**

The comments and criticisms relating to the Options are:

<b>Comment/criticism</b>	<b>NWL officer response</b>
Option 1: Policies that only “encourage” are unenforceable and usually ignored.	It is considered that Option 1 would have some positive effect but is likely to be less effective than Option 2.
Options 1 & 2 would not be effective.	It is considered that Option 1 would have some positive effect, but Option 2 would be more effective.
Option 2 can be implemented through a pre-commencement condition requiring the submission, approval and implementation of an Employment Plan which includes measures to encourage local recruitment during construction, and a pre-occupation condition requiring the same for the operational phase. Much of the detail in this regard will be unknown at the planning application stage, so it should be sufficient for applicants to commit to recruit locally where possible and express in headline terms how they might be achieved.	Noted.
Option 2: Enforcing will not work in a low unemployment area and may stifle business’ ability to get the best people.	It is accepted that any policy will need to strike a balance to encourage and enable local recruitment and training but not to unduly restrict firms’ employment options

A number of more general comments were made in response to this question.

<b>Comment</b>	<b>NWL officer response</b>
Local employment initiatives should look at the construction and operational phases of development.	Agreed.
No definition is given of what is meant by ‘large scale development’. Clarity is required on the types and scale of development which will be required to demonstrate compliance with the policy. Different types of development and developers will be able to comply with the policy to different degrees.	Agreed. The proposed policy approach suggests the threshold for a Employment Plan is a development where at least 50 new jobs will be created.
Development should only be on brownfield land or make use of vacant premises.	We have robust evidence that more land for employment uses will be needed to match planned economic growth to 2040 including for more start up workspace. This is over and above the land which is already being used for these purposes and any vacant brownfield sites. It is unavoidable that some greenfield

	land will be needed for development in the future.
The proposals do not benefit local people. All they do is increase the number of people travelling into the area with a vastly increased carbon footprint.	One of the justifications for the proposed policy approach is that local recruitment can help reduce commuting distances.
Employment opportunities should be linked to local housing.	The spatial strategies for housing and for employment are the subject of a separate report on this agenda.
The East Midlands has always had low levels of unemployment.	Noted. The benefits of local recruitment and training are considered to merit a planning policy on the subject.
Can't access the documents.	Noted.