



Hearing Statement

Our ref 50650/NG/KB
Date October 2016
From Nathaniel Lichfield & Partners on behalf of Templegarth

**Subject Central Lincolnshire Local Plan: Examination Hearing
Statement – Policy LP5**

1.0 **Introduction**

1.1 Nathaniel Lichfield & Partners ('NLP') act on behalf of Templegarth in relation to the former Sunblest Bakery site on Deacon Road in Lincoln ('former bakery site'). Original representations were submitted in relation to the site by Rapleys LLP on behalf of the original landowner, Associated British Foods (ABF). Since these representations were submitted there has been a change in land ownership from ABF to Templegarth. Templegarth is taking forward the original comments and the original representations have been transferred into their name. As a result NLP is submitting this Hearing Statement.

1.2 This Statement provides a response to the Inspector's Matters Issues and Questions which are directly relevant to the previous representations.

2.0 **Background**

2.1 Templegarth is the new owner of the former bakery site on Deacon Road. The site is vacant (since 2010) following the removal of the buildings associated with its last active use as a Sunblest Bakery.

2.2 The previous representations objected to the inclusion of the site within an Established Employment Area (Outer Circle Road) in Draft policy LP5 Delivering Jobs and Prosperity.

3.0 **Matter 7: Employment Land, the Visitor Economy and Retailing**

Question: How were the sites selected? What factors were taken into account? Where is the evidence? Has a robust process been followed including the consideration of alternatives?

Question: How were the Established Employment Areas (EEAs) selected? What factors were taken into account? Are they justified?

NLP Response:

Where is the evidence?

- 3.1 The Councils' evidence base for policy LP5 is insufficient and as a result policy LP5 is not consistent with the National Planning Policy Framework (NPPF, 2012).
- 3.2 Firstly we deal with the insufficient evidence base.
- 3.3 The Economic Needs Assessment (ENA) (June 2015) forms a key part in the evidence base that underpins the emerging Local Plan and in particular policy LP5. This ENA assesses the future demand for employment land and recommends employment land needs.
- 3.4 The Assessment outlines an overall requirement for 22.9 hectares of developable economic land and, based on the analysis, the Assessment concludes that between 23 hectares (baseline scenario) and 53 hectares (high growth scenario) of land will potentially be required across Central Lincolnshire for B Use Class employment uses over the period from 2012 – 2036.
- 3.5 The ENA excludes a detailed assessment of economic land availability and does not constitute a full employment land review. It is only a base estimate of the gross land requirements in Central Lincolnshire over the period from 2012 – 2036. As such, if this assessment is not included in the ENA it should be addressed in a separate document to ensure the employment land allocations are based on a thorough and detailed evidence base.
- 3.6 The ENA informed the Councils' Evidence Report for policy LP5 (document reference PS.EVR5, April 2016). The ENA advises Central Lincolnshire to plan for an additional amount of land to ensure a reasonable choice of sites for business and developers and to allow for greater flexibility (para 10.29). The assessment also advises that to establish this additional amount of land, an allowance equivalent to five years supply would be appropriate (para 10.30).
- 3.7 The Councils' Evidence Report (April 2016) calculates the five year supply for the baseline scenario and high growth scenario (see page 7 of the Report). These figures are 55.5 hectares as a baseline scenario and 79.1 hectares as a high growth scenario.

- 3.8 Whilst we understand that the ENA advises the Councils' to plan for an additional amount of land, Policy LP5 of the Proposed Submission Local Plan (April 2016) identifies 111.1 hectares of strategic employment land, plus a further 42 hectares of employment land as part of the Sustainable Urban Extensions (SUE). In addition, it states that vacant plots exist within the EEA's offering further choice and flexibility in the market.
- 3.9 The supporting text to policy LP5, on page 21 and 22 of the Proposed Submission Local Plan (April 2016) references reasoning / evidence for allocating more employment land than suggested in the ENA. The reasoning includes choice, flexibility, losses and uncertainties in forecasting. The Evidence Report (April 2016) goes into further detail about the need to allocate more employment land, however we reiterate that this evidence is insufficient and does not justify the level of "over provision". In this respect, the Evidence Report (April 2016) confirms that the employment land allocations are "*almost double the maximum amount (79.1 hectares) recommended by the ENA*".
- 3.10 Secondly, we deal with how the insufficient evidence base results in policy LP5 not being consistent with the NPPF.
- 3.11 The NPPF sets out very clearly (paragraph 21) about what is required in drawing up Local Plans. It states local planning authorities should identify strategic sites, for local and inward investment to match their strategy and to meet anticipated needs over the plan period.
- 3.12 The over provision, as outlined above, is not consistent with the anticipated employment land need over the plan period.

How were the Established Employment Areas (EEA's) selected? What factors were taken into account? Has a robust process been followed including the consideration of alternatives?

- 3.13 The Councils' Evidence Report (April 2016) outlines the approach to site selection. We note that an initial comprehensive appraisal of 130 candidate sites were considered, however the approach has not been taken forward. The chosen approach of two different work streams is therefore not as robust or rigorous as the initial approach and is deemed insufficient. The initial comprehensive appraisal is what we would expect the Councils to undertake.
- 3.14 The Evidence Report (April 2016) also sets out how the EEAs were selected. This document states that the work focused on existing employment areas to establish which sites should be protected for such uses. These sites are areas that have largely been developed and provide a range of smaller plots or renewal opportunities. The sites were assessed against location, market attractiveness, proximity to strategic road infrastructure and status and deliverability.

- 3.15 Firstly, we question why the former bakery site was selected as part of the assessment process. The site was not located within an area defined for business or employment on Proposal Map 02, City of Lincoln Local Plan. The area defined as business on Proposal Map 02 was directly south of the former bakery site. The former bakery site was located within a mixed use centre and the surrounding land uses, for example the Tesco and Aldi stores are consistent with this. Further, the land uses to the north of the site, that front Wragby Road, are in retail use and consistent with mixed use centre uses.
- 3.16 While, we do not object to the whole of the Outer Circle Road EEA and we note that the Evidence Report (April 2016) outlines that there “*a number of plots vacant of various sizes*”, we object to the former bakery site being allocated within this EEA.
- 3.17 We note that the previous representations, submitted on behalf of ABF gave a detailed review against Evidence Reports (April 2016) assessment criteria. Since these representations were submitted there has been a change in land ownership and as a result, the site circumstances have changed. We comment on these changes below:
- 1 Site Specific Circumstances (location): the site is adjacent to a site promoted by Lidl who has recently submitted a planning application (2016/ 0302/F) for the erection of a 1,690 sqm (sale area) foodstore (A1 Use Class). The planning application received a resolution to grant at Committee pending the final Section 106 being signed. This confirms strong retail occupier interest in the area north of Deacon Road.
 - 2 Site Specific Circumstances (market attractiveness): the site has been marketed for a number of years and the previous client, ABF, received a variety of interest from retail operators. This is consistent with the site’s current district centre designation and the retail nature of a number of adjoining sites. Given the surrounding uses, there is no justification for extending the existing employment allocation to the north of Deacon Road, particularly as it will draw an illogical boundary for the District Centre designation at Wragby Road.

Conclusion

- 3.18 The responses outlined above to the Inspector’s MIQs show that there is no justification to allocate the former bakery site as part of an EEA. There is lack of evidence to allocate land significantly in excess of the highest figure recommended in the ENA. As such, sites such as the former bakery site that are suitable for alternative uses, such as retail uses should be removed and do not warrant an EEA allocation. Support for a continued retail allocation (as part of the Wragby Road District Centre) is dealt with in separate representations which have now been transferred to Templegarth (policies LP6 and LP34).