



Hearing Statement

Our ref 14553/NG/KB
Date October 2016
From Nathaniel Lichfield & Partners on behalf of Lincolnshire Cooperative Limited

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

1.0 **Introduction**

1.1 Nathaniel Lichfield & Partners ('NLP') act on behalf of the Lincolnshire Cooperative Limited in relation to Moorland Industrial Estate. We previously submitted representations to the Central Lincolnshire Local Plan Further Draft and Proposed Submission Consultations. This Statement provides a response to the Inspector's Matters Issues and Questions which are directly relevant to our previous representations.

2.0 **Background**

2.1 Lincolnshire Cooperative Limited owns land within Moorland Industrial Estate. The Estate is located on Tritton Road to the south west of Lincoln city centre and the majority of land within the wider site is in retail use and has been for a considerable amount of time.

2.2 Our previous representations objected to the inclusion of Moorland Industrial Estate as an Established Employment Area (EEA) in Draft policy LP5 Delivering Jobs and Prosperity. In this context we note that the November 2015 version of the Policies Map showed a wider area, including land in retail use, as being within the EEA. The April 2016 version amended the allocation to include a smaller area of land to the south west of the wider site. The changes, to take account of our earlier representations, are supported, but we object to remainder of the site still being identified as an EEA allocation for the reasons set out below.

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 Council's 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 of 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 such an 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 (April 2016) 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 significant 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 and identified employment land need over the plan period as set out in the ENA.
- 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? Are they (EEA's) justified?*
- 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 and does not seem to have been relied upon by the Councils. The chosen approach of two different work streams is therefore not as robust or rigorous as the initial approach and is deemed insufficient to identify suitable sites. A similar exercise to the initial comprehensive appraisal is what we would expect the Councils to undertake.
- 3.14 The Evidence Report (April 2016) 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 The Evidence Report (April 2016) outlines the reasoning for selecting Moorland Industrial Estate and it states that the Estate is a “*small trading estate... [with] minimal expansion land on the site with no remaining land for new build*”. It highlights the site’s location next to a strategic road network.
- 3.16 The allocation of Moorland Industrial Estate as an EEA is not justified, particularly given the over provision identified above. The allocated site now covers around 1.8 hectares and is located adjacent to land predominantly in retail use. In addition, a significant part of the allocated site is subject to a current planning application (LPA ref: 2016/0843/FUL) for a Marks & Spencer (M&S) Foodhall on land owned by the Lincolnshire Cooperative Limited. The application will be heard at the Planning Committee on 12 October 2016 for the erection of Retail unit (Class A1) with a resolution to grant planning permission.
- 3.17 Assuming permission is granted for the M&S Foodhall, the available land for employment use would be further reduced. The remaining land is not sufficient in nature or in size to warrant an employment allocation.

Concluding Remarks

- 3.18 The responses outlined above to the Inspector’s MIQs, show that there is no justification to allocate Moorland Industrial Estate as 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 Moorland Industrial Estate that are small in size and surrounded by other non employment uses should be removed and do not warrant an EEA allocation. We therefore request the allocation is removed.