

MATTER 4 – EMPLOYMENT

Issue 4: Has the Plan been positively prepared and is it justified, effective and consistent with national policy in respect of its policies and proposals for employment land and development in Leicester?

Provision and Supply of Employment Land (Use Classes E(g), B2 & B8)

228. Is the supply of employment sites in the Plan, allocated in Policies SL01, SL02, SL03, SL06, E01, CHA01 and CHA07 and listed in Table 8 of part 12 of the Plan, adequate in quantitative and qualitative terms, to meet the needs for employment floorspace for offices, light/general industry and small scale storage and distribution uses identified in Policy SL01?

Please see response to MIQ 35 and note that the Council will therefore look to make a minor modification to revise the employment land need in Policy SL01 from 67 to 65ha. Notwithstanding this, yes. It is the Council's view that the supply of sites is adequate in qualitative terms and qualitative terms.

Policy SLO1 identifies that the amount of new employment development that is needed in Leicester, by 2036, is:

- 46,000 sqm offices
- 65ha land for light / general industry and small-scale storage and distribution use.

The office need will primarily be met by two sites, as defined in policies CHA01 and CHA07 – Campbell Street and Phoenix Square – each providing 20,000 sqm of floorspace. The Local Plan focuses on these two locations specifically as both project areas are under a high degree of public sector control. This gives the City Council and partners more say over their development, the ability to contribute financially to support delivery and more confidence that the quantum of office space proposed will be delivered. The remaining 6000sqm is identified in MIQ 230.

In terms of meeting the requirement for 65 ha of land for light / general industry and small-scale storage and distribution use, Table 8 in chapter 12 of the Plan identifies 29.08 ha, in six sites. This has now been updated to provide 34.9ha (Please see MIQ 27), The remainder of the need is met by 23 ha in Charnwood and 7.5 ha in the section 73 application.

The 2020 EDNA [EB/EM/1] reviewed 93 Employment and Office Areas and 18 Potential Employment Areas across Leicester, and did not find any further brownfield development opportunities of any significance. Section 7.0, and Table 28 of the 2020 EDNA [EB/EM/1] reviewed the main employment sites, including the two office sites, providing

evidence as to their suitability and deliverability. All the sites were shown to be deliverable and capable, in the case of the industrial locations, of supporting industrial/warehouse requirements of up to 10,000 sqm each, which reflected identified demand. All the sites had no significant constraints to development within their assumed net developable areas, and were well located on main transport corridors, linking to existing industrial estates. The main strategic employment sites – Former Western Park Golf Course, Beaumont Park and land at Ashton Green – were also primarily under city council ownership, allowing the Council to push forward development.

229. What is the status of the Section 73 planning application for the change of use of 13 ha of land at Ashton Green to employment uses?

The section 73 planning application (ref 20240895) has now been submitted. It was validated as being complete on 11/07/2024 and is due to be determined by 31/10/2024. Consultee responses have been received and have not highlighted any major outstanding issues.

230. Given that Policy SL01 identifies a need for 46,000 sqm of office floorspace and Policies CHA01 and CHA07 only allocated land for approximately 40,000 sqm, where and how would the balance of 6,000 sqm of office floorspace be met?

The remaining 6000 has already been granted consent and completed at

- Northgate Street, Soar Lane, Waterside, three office buildings of 1,858 sqm each, 5,574 sqm total, (20151587) the first of which has been developed and occupied by YU Energy in early 2021.
- Land off Great Central Square which has been successfully developed for 4,019 sqm speculative offices alongside the 252 bed Novotel in an 11-story mixed use building (20171085). It is now known as 'Number One Great Central Square' and was completed in late 2019.

Strategic Distribution and Logistics Floorspace Need and Supply

231. Should the Plan set out the requirements for Strategic Logistics & Warehousing floorspace in the Leicester and Leicestershire area up to the end of the Plan period, and how this will be planned for on a cross- boundary basis with neighbouring authorities?

The 'Warehousing and Logistics in Leicester and Leicestershire: Managing growth and change (April 2021)' is the most up-to-date evidence on the needs of the sector across L&L up to 2041. All of the need is being met outside of Leicester's boundaries. This is agreed by all the authorities in the HMA [SCG/4]. Leicester does not contain any of the Areas of Key Opportunity, that were identified by the study. Since Leicester has such tight boundaries, so little land is available and already has unmet need for both housing and general employment no provision is planned for Strategic Warehousing. The need for Strategic Warehousing has been planned for on a cross boundary basis by the 2021 study [SCG/4]. It is expected that any updates to this study will continue to be planned for in the same way. SL01 confirms that land for strategic distribution uses (over 9000 sqm in size) will not be provided within the city's boundary.

Policy E01 – Non-strategic Economic Development Areas

232. Is the proposal to redevelop the Thurcaston Road /Hadrian Road open space for employment uses and a transit site for gypsy and traveller accommodation in Policy E01, justified as appropriate, based on proportionate evidence, including the provision of open space in the surrounding area, and taking account of the reasonable alternatives?

The suitability of the site for employment use was established through the site assessments and considered reasonable alternatives. There has been some interest expressed in this site for employment use in previous consultations.

The need for Gypsy and Traveller transit provision is based on the Council's evidence base, Gypsy and Traveller and Travelling Showpeople Accommodation Assessment (May 2017) [EB/HO/2] and Gypsy and Traveller Accommodation Assessment Addendum (September 2019). The study identified the need for a transit site capable of accommodating 12 caravan spaces as minimum.

The council received the new GTAA in September 2024 and the findings will be published shortly. Findings of the 2024 study, however, did not find an increased need for transit provision from that identified in the 2019 GTAA Addendum. Therefore, the allocation is based on proportionate evidence.

As part of the site selection process the Council undertook a thorough assessment of sites across the city to consider reasonable alternatives. This is recorded in the Gypsy and Traveller Transit Site Selection Paper 2022 [EB/HO/2b]. The proposed allocation is one of

two sites that are concluded to be most suited to accommodate transit provision.

This is an open space within an area identified in the OSSR study [EB/OS/3] as having a sufficient supply of informal open space. Any development on this site will have to consider the Plan's design and quality places policies.

233. Would the location of industrial and distribution uses be compatible with a residential use for gypsy and traveller accommodation on the Thurcaston Road /Hadrian Road open space site, with regard to noise and disturbance, site security, access and traffic movements?

The Council considers that the residential use is compatible with the existing and proposed employment uses. There will be scope at application stage to consider things such as the location, design, site security and the likelihood of noise and disturbance to the residential transit site. Appropriate mitigation measures will be designed into the scheme. This will ensure that the residential and both existing and proposed employment uses can coexist alongside each other with minimal amount of disruption to either use.

In respect of access and traffic movements, the Council's Highways department advised on the Gypsy and Traveller Site Selection process [EB/HO/2b]. No concerns were raised in respect of access and traffic movements. This will of course be considered further when assessing a detailed application.

234. Are the two sites identified in Policy E01 suitably located and likely to be developed for employment uses during the Plan period? What is the evidence to demonstrate this?

Thurcaston Road/Hadrian Road is suitably located, being adjacent to existing employment land. It has good access from Hoods Close and Beaumont Leys Lane, which serve existing major employers. The suitability of the site for employment use was established through the site assessments. The process is explained in the sites methodology [EB/H/05] as well as the Housing and Sites Topic Paper [TP5]. There has been market interest expressed in this site for employment use in previous consultations.

In SD/19 (site 687) site assessments, the estimated time frame for Thurcaston Road/Hadrian Road's delivery is 6-10 years. The timescales for delivery were first established through the SHELAA [EB/HO/3] and were then supported by detailed assessment. As site owner, the council

will work to bring this site forward.

Mountain Road – is well located in the Troon Industrial estate, being surrounded on three sides by existing employment land; It has good access from Mountain Road and Waterside Road, which serve many existing employers across this estate. This site was designated for employment in the previous plan and remains undeveloped. Planning consents have been granted for industrial development on this site. To ensure that it was still suitable, it has been assessed in appendix 3 of the 2020 EDNA [EB/EM/1s], (it is shown as no.15, in the column 'new permanent mapping no's) and was graded B/C.

Policy E02 – General Economic Development Areas

235. Does the evidence provided in the Economic Development Needs Study 2020 [EB/EM/1] demonstrate the need to retain all of the General Economic Development Areas (GEDAs) for employment use? Should greater flexibility be allowed in Policy E02 for the development of alternative uses in the GEDAs, such as residential or student accommodation, where evidence shows there is no longer a reasonable prospect of applications coming forward for employment uses within Classes E(g)iii), B2 and B8?

The 2020 EDNA [EB/EM/1] assessed all the General Economic Development Areas and confirmed that they were fit for purpose for employment use. It is important for the integrity of the effective operation of the GEDAs that no residential or student accommodation is permitted. Given the prospect of considerable increased return on residential development above employment, if student or residential uses were allowed, there is little prospect of any employment uses coming forward and GEDAs form the largest portion of the employment land supply.

236. Is Policy E02 justified in not allowing portal framed buildings within the GEDAs to be converted for uses within Use Classes D, E and F?

The stock of Leicester's employment buildings is predominantly between 35 to 80 years old (see the table below). Portal frame buildings will have been built more recently (since 1970's), and are far fewer in number, hence these have been recommended to be retained for employment use.

The original employment land study for the city was the Leicester Land and Premises Assessment Study 2006. This set out the age of

buildings, within three very broad categories (see the table below). This confirms that in 2006, only around 10% (156 out of 1550 buildings), had been built since 1990.

Given that portal framed buildings have been under construction since the 1970's, it is not possible to estimate a more exact proportion than this, but 20-30% would not be an unreasonable estimate.

Most of the older non-portal framed buildings are multi-story (often former textile mills). These are highly inconvenient for modern industrial uses, with much lower ceiling heights and much less parking in proportion to the very large floorspace. Space for servicing is also often inadequate for modern use. Mid-floor brick supports are often an integral part of their structure, breaking up the floor plans, which is not conducive to use for modern manufacturing machinery. However, it is possible to convert these older buildings for uses within Use Classes D, E and F, as is frequently evidenced by such uses on the upper floors, whilst the ground floor is retained for employment use.

In contrast portal framed buildings are single story, have uninterrupted floor plans, good ceiling heights and much better provision of parking and servicing space in relation to their floorspace. It is their superior qualities for modern industrial use that is the reason that it is recommended to retain these for B class employment use.

There is currently strong competition for the best buildings in the city's employment land from occupants of other use classes (D, E & F, predominantly from gyms, and community uses) and not allowing those uses in the premium portal framed buildings that are most well suited for employment use would help to give additional support to B class employment users being able to use the most suitable buildings.

Table 5:2: Leicester Land and Premises Assessment Study 2006: Totals

Grades	B	B/C & C	C/D & D	D/E & E	Total
No. Sites	6	37	22	13	78
Area (ha)	267.1	220.4	69.6	20.1	577.2
Buildings					
i) No.	469	746	259	77	1,551
ii) Voids	29	82	39	13	163
ii) Age					
Pre 45	17	107	129	35	288
45 - 90	348	597	124	38	1,107
Post 90	93	32	6	0	135
New	11	10	0	0	21
iii) Condition					
Derelict	0	13	11	13	37
Poor	25	101	101	13	258
Average	414	614	144	33	1,205
Good	30	18	3	0	51

Source data: BE Group (2006) Leicester Land and Premises Assessment Study

237. Are criterion b) of Policy E02 and paragraph 12.27 of the supporting text justified and consistent with national policy in seeking the use conditions to restrict permitted development rights for changes of use within Class E of the Use Classes Order?

The Council considers this to be justified and consistent with national policy, particularly in accordance with TC09. The city has an extremely limited supply of employment land, noting that Charnwood is meeting 23 ha of our need. If the city doesn't use some form of article 4, it is likely to lose a substantial amount of employment land to E class uses, noting that an article 4 direction would only be proposed on very specific areas on a limited case basis.

Policy E03 - High Quality Economic Development Areas

238. In light of the recommendations of the EDNA, should Policy E03 set out the circumstances in which non-E(g)(iii) and B Class uses would be appropriate within the High Quality Economic Development Areas (HQEDAs), such as to provide on-site support facilities or an economic enhancement, in order that the policy is justified against the evidence and effective in maintaining the economic functioning of the HQEDAs?

Recommendation 2 of the 2020 EDNA [EB/EM/1] 'Employment Areas to be Retained' (paragraphs 11.4-11.5, page 188) notes that "It is recommended that these be identified as 'High Quality Economic Development Areas' in the Local Plan and receive protection as reflected in Policy E02 of the Draft Local Plan, i.e. only applications for B-Class use should normally be permitted." Policy E02 of the then Draft Local Plan has now become Policy E03 of the Submission Draft Local Plan, with no change in wording. Thus, Policy E03 remains consistent with Recommendation 2, overall.

Recommendation 2 continues that: "Non-B Class uses should only be allowed if an applicant can demonstrate exceptional circumstances and that the proposals will not have a significant adverse impact on surrounding local uses." It is the Council's view that it should be for the applicant to define what those 'exceptional circumstances' would be, as the overall purpose of Policy E03 is to keep opportunities for the introduction of non-E(g)/B-Class Uses as limited as possible, to protect the integrity of the HQEDAs as industrial estates and business parks. The HQEDAs are the prime employment areas of the city and it is intended that protection for these locations be as high as possible, with applicants needing to make a strong case for change. In policy terms, this is what distinguishes the HQEDAs from the General Economic

Development Areas, as defined in Policy E02 of the Submission Local Plan, where a clearer path to the introduction of non-E(g)/B-Class Uses is set out.

Policy E04 – Pioneer Park

239. The part of Pioneer Park located north of Corporation Road lies within Flood Zone 2 as an area at medium probability of flooding. What evidence is there that the allocation of this part of the site in Policy E04 satisfies the Sequential Test in paragraph 162 of the NPPF, and that there are not reasonably available sites for the proposed development in areas at lower risk of flooding?

The site to the north of Corporation Road forms Leicester University Space Park. Most of the site (over two thirds) has already been developed and was completed in 2021. The flood risk issues were satisfied through the development control process, (consent reference 20182094 hybrid outline as amended by 20230168), which included Flood Risk assessments.

The SA assessed the whole site and acknowledged the negative impact of the flooding. Appendix D of the SA [SD/4e] relating to Policy E04 on p72, under objective 9, noted that it 'is located within a medium risk flooding area (Flood Zone 2). However, only a small part of the allocation is designated such' and that mitigation should 'include appropriate mitigation measures in future development', which has been included in criterion d) of the policy. This is not saying it is unmitigable.

Flood Risk Assessment (consent 20182094)

The hybrid application included a full application for the development of a (part four, part five story) building to provide: 4,629 sqm collaborative research and business floorspace (class b1/d1), associated hard and soft landscaping, car parking and access and an outline application for the development of two further phases. These comprise up to 20,000 sqm of class b1/d1 floorspace arranged within buildings of up to 18.5 meters in height including access. All other matters were reserved. It covered all this site. The proposed development comprises the construction of educational and research buildings, as well as manufacturing and assembly buildings for high technology equipment (including satellites).

240. In order to satisfy the terms of national policy in paragraph 167 of the NPPF (September 2023 version), should Policy E04

require buildings to be designed to be flood resistant and resilient?

The plan is taken as a whole and the requirement for buildings to be flood resistant and resilient is contained in Policy CCFR06 and does not therefore need to be repeated in Policy E04.

241. What evidence is there that the areas of the site that remain undeveloped, are likely to be developed during the Plan period as assumed in the Plan?

The Council has been responsible for completing Dock 1 in 2013, Dock 2 in 2021 and Dock 3, 4 & 5 in March of this year. There are now just two remaining sites.

- Abbey Court, (south of Corporation Road) which has now been cleared and has outline consent 20231046 to provide a development plot for serviced employment buildings.
- Phase 1 and 2 of the Leicester University Space Park have already been built. Discussions are ongoing about phase 3.

Given the city council's track record for delivering on this site, they are confident that these sites will be brought forward in the plan period.

Policy E05 – Textile Area and Neighbourhood Employment Areas

242. Does Policy E05 set out an effective and positive approach to the growth, management and adaptation of the city's Neighbourhood Employment Areas. In particular, is the wording of the policy clear and unambiguous in respect of the opportunities for and constraints on housing development within these areas?

The Council will consider a modification to Policy E05 to address this.

243. Are criterion b) of Policy E05 and paragraph 12.35 of the supporting text justified and consistent with national policy in seeking the use conditions to restrict permitted development rights for changes of use within Class E of the Use Classes Order?

The Council considers this to be justified and consistent with national policy, particularly in accordance with TC09. The city has an extremely limited supply of employment land, noting that Charnwood Borough Council is meeting 23 ha of our need. If the city doesn't use some form of article 4

direction, it is likely to lose a substantial amount of employment land to E class uses, noting that an article 4 direction would only be proposed on very specific areas on a limited case basis.

Policy E06 - St. George's Cultural Quarter

244. Is Policy E06 clearly written and unambiguous in respect of the range of uses that will be encouraged in the St. George's Cultural Quarter? In particular:

a. In part a) of the policy, would it be evident to a decision maker whether proposals for a mix of uses should include all of the uses specified or any combination of design studios, workspaces, residential uses and offices?

Any combination of design studios, workspaces, residential uses, and offices would be acceptable. The Council would be willing to accept this as a modification to the policy text.

b. In part b) of the policy, should retail uses falling within Class E(a) also be allowed to contribute to active street frontages on Halford Street and Rutland Street, given that paragraph 12.38 of the supporting text refers to shops as well as restaurants and cafes?

Retail uses need to be subject to the consideration of the sequential assessment and where appropriate an impact assessment in accordance with policies TRCR01 and TCR02.

245. Are the design requirements set out in Policy E06 clearly written and unambiguous? Should part a) of the policy specify that the design of proposals should be sympathetic 'to the character of the Quarter' and should the supporting text set out the key components of its unique character?

Sympathetic design was solely intended to cover a buildings' historic interest however, this is adequately covered by HE01 and the reference to design is not needed. The Council would be willing to accept this as a modification to the policy text.

246. Overall, does the combination of Policies CHA07 and E06 comprise an effective and positive approach to the growth, management and adaptation of the St. Georges Cultural Quarter, that reflects its

unique character?

It is the Council's view that when read in conjunction, the policies are effective and identify a positive approach to growth and management, taking account of its unique character.

Policy E07 - Employment: Support Strategies

247. Is Policy E07 clearly written and would it be effective in managing proposals for major development? In particular:

a. Is criterion a) necessary, given that it duplicates the wording of paragraph 12.40 of the supporting text and is an ambition rather than a policy requirement?

The Council would be willing to accept the deletion of criterion a) as a modification to the policy text.

b. Should criterion b) specify that Employment and Skills Plans be provided by developers 'submitting' rather than implementing' planning applications for major development?

The Council would be willing to accept 'submitting' rather than implementing' planning applications, as a modification to the policy text.

c. Do criteria c), d) and e) serve a clear purpose in relation to development proposals and would it be clear how a decision maker should apply them to planning applications? Should they form part of the supporting text to Policy E07?

The Council would be willing to accept this as a modification to the supporting text, so that criterion c, d and e are added to the supporting text paragraph 12.44.

Policy E08 – Vehicles Sales and Car Washes

248. Is Policy E08 clearly written, effective and consistent with national policy? In particular:

(i). In criterion a), should the test be whether a proposal would result in 'unacceptable harm to' rather than a 'significant loss of' residential amenity?

The Council would be willing to accept this as a modification to the policy text.

- (ii). In criterion d), what would be regarded as a significant increase in vehicle trips, and would this be consistent with the wording of paragraph 111 of the NPPF, which states that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe?**

The purpose of the policy wording is to highlight the impact that is caused when a brownfield site and/or vacant use becomes a car intensive use and the impact that this has not just to highway but also to local area via impacts to local amenity. Changing this criterion to focus specifically on severe highways impact would both minimize the assessment of potential impacts to residential amenity, but also require an applicant to produce highways assessment work beyond what would normally be required for a temporary planning permission.

- (iii). In criterion e), should the aim be to avoid over concentration of such uses on any main road through the City, rather than just radial routes?**

The current policy wording is to highlight both the fact that these uses tend to be located on the main radial routes and that the impact is the most severe when located in these areas. The main impact of these particular temporary uses is on the main radial routes within the city.

- (iv). In the last sentence of the policy, should 'limited period consent' be worded as 'temporary planning permission' to ensure consistency with the PPG on the Use of Planning Conditions⁸?**

The Council would be willing to accept this as a modification to the policy text.