

# **Employment: Preferred Sites and Policies Consultation Document**

**15 July - 9 September 2013**

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EdenDistrictCouncil



EdenCouncil



# Eden District Local Plan

## Employment: Preferred Sites and Policies

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# PART 1 – About this Document

## What has happened so far?

- 1.1 Eden District Council issued a brief in December 2012 to invite consultants to carry out planning policy and economic work on the allocation of employment sites, including accompanying environmental reports. The purpose of the work is to form and inform the employment policies and proposals to be put forward in the draft Local Plan for Eden District. The Council appointed Deloitte LLP (“Deloitte”) and AMEC Environment and Infrastructure UK Ltd (“Amec”) in February 2013 to carry out this work.
- 1.2 This document is the end result of this work and has been informed by an initial work to assess current levels of employment land supply, to set out the methods to be used to identify and assess potential employment sites and then to actually identify and assess the different potential employment sites. The results of this work are summarised in this document with further detail included in a separate ‘Issues and Options’ Assessment which provides a breakdown on the site specific issues assessed to inform the preferred options.
- 1.3 This document is in two parts. The main part on which the Council is seeking your views is Part 2. This sets out Eden District Council’s preferred sites for new employment development, together with some supporting planning policies. In this document, the term ‘employment development’ covers the following uses:
  - Offices (B1a);
  - Research and Development (B1b);
  - Light industrial uses (B1c);
  - General industrial uses (B2); and
  - Warehousing and distribution (B8).
- 1.4 The Council is now asking your views on whether the sites identified are appropriate and the best available, whether the proposed policies are right for the area, and whether anything else needs to be included. Part 1 (this part) explains the processes involved in producing the sites and policies, contains more detail on what they are and why they have been produced, as well as explaining how you can get involved.
- 1.5 As noted above, an ‘Issues and Options’ assessment has also been produced, setting out technical details on employment land supply and also additional information on the assessment of different employment site options. A separate Sustainability Appraisal and a Screening Appraisal for Habitat Regulations purposes have also been prepared. We would also like your views on this supporting information.

## About this consultation

### Why has it been prepared?

- 1.6 There are a number of reasons why this document has been produced.
- 1.7 Firstly, it will help meet employment needs in the district for existing and future residents. Alongside new housing, making sure that there is an enough land for new employment development is key to a firm foundation for economic growth and to make sure that the district can retain existing businesses, allows them to grow and also attract new investment.
- 1.8 Also, producing a clear plan on where new employment is proposed to be located provides more certainty to developers and the public on where such development will be encouraged and likely receive eventual planning permission.
- 1.9 The National Planning Policy Framework (NPPF) sets out the Government's current thinking and requirements in relation to planning policies. One of its main aims is to ensure that the planning system does everything it can to support sustainable economic growth. This will include ensuring that the right policies and sites are identified to make sure that appropriate new employment development is encouraged and not prevented. Part of the technical work carried out has been to assess different potential employment sites from a commercial perspective to, as far as possible, make sure that sites can be developed. Making sure that sites are likely to be attractive to developers and able to be 'delivered' is a very important consideration.
- 1.10 Finally, this document has been prepared to allow those living and working in Eden District to have a say in where new development is located. The District Council is keen to stress that the draft allocations set out in this document are not a "done deal" . This is a genuine consultation - sites selected are a view on which may be the most suitable sites in light of technical work undertaken and using the best information available at the time. The Council would now also like to feed in your views in light of your knowledge of the area. Please tell us whether you think that they are the best sites, whether there are better alternatives available, or whether our information is out of date or incorrect.
- 1.11 When responding please bear in mind that the District Council must make sure that employment policies and proposals actively encourage sustainable economic development if it is to produce a plan which complies with Central Government policy. It is therefore important to include within your response any evidence or information that might lend weight or support your views. If you do wish to object to the development of a site it would greatly aid us if you could explain why alternative sites elsewhere may have fewer constraints to development or may prove better options.

### How does this document relate to the adopted Core Strategy and any future Local Plan?

- 1.12 Up until this point the Council has been considering producing a separate "Employment Allocations Development Plan Document" (or DPD). This was because under the local planning system operated by the previous Government the District Council was required to work towards publishing a "Local Development Framework" , which was a folder of separate documents. This included the Core Strategy, which was formally adopted in March 2010. This was to be followed on by separate policy and land allocations documents.

1.13 Under the Government's NPPF the District Council is now charged with producing a single Local Plan for its area. The Council will therefore be adding policies and land allocations to its existing Core Strategy and will eventually tie them all together into a single Local Plan. In other words, the policies and proposals in this document could be viewed as an additional chapter to the existing Core Strategy.

### **Is this document proposing to change anything in the Council's existing Core Strategy?**

1.14 The document looks to take forward the overall level of employment development envisaged in the Core Strategy and also seeks to distribute future employment growth in line with the locational strategy included in the Core Strategy. However, due to employment development that has taken place since the employment land target in the Core Strategy was set, the amount of land that now needs to be identified to meet future employment development needs has been reduced accordingly. Also the scale of extension anticipated for the Eden Business Park (Phase 2) at the time of drafting the Core Strategy and the subsequent Penrith masterplan has been reduced in scale and other larger sites identified to meet future employment needs in Penrith.

### **How does this document relate to or change any other existing local policy on employment?**

1.15 Some policies in the 1996 Eden District Local Plan were 'saved' in 2007 and still remain in force. They will be replaced by new policies as they are added to the local plan. This document proposes replacing the following policies:

- EM1 Business Park Allocation;
- EM2 Employment Site Allocation;
- EM3 Local Employment Site Allocation;
- EM4 Small Employment Site Allocation;
- EM5 Development on Allocated Sites;
- EM7 Extension of Existing Sites and Premises;
- EM8 Re-use of industrial or commercial sites;
- EM11 Haulage Sites; and
- EM12 Employment Opportunities in the Settle-Carlisle Railway Corridor.

1.16 In general, it is proposed that the number of policies be reduced to focus on guiding development on allocated sites, providing appropriate protection to existing and allocated employment sites and, setting out how the development of new employment uses outside of allocated employment sites will be considered. The proposed new policies will also aim to complement the general employment policies already included in the Core Strategy.

### **Wider Consultation?**

1.17 The Council completed an 8 week consultation period on its Preferred Housing Sites and Policies document on 22 April 2013. As part of this consultation exercise, members of the public were also invited to submit proposals for additional employment sites. A workshop was also held in March to obtain the views of local business and other organisations on a range of economic and employment issues applying to the District.

## Why are you only consulting on employment (and not other) sites and policies?

- 1.18 A main purpose of this consultation is to get your views on the distribution and suitability of proposed employment sites. It is a priority for the Council to produce a robust allocations strategy, giving certainty to developers and the general public on where new development should be going. Publication of this document is a key part of this process, to let both developers and the public know where new employment is being considered, and to seek views on this.
- 1.19 It is recognised that it is important that the Council does not just plan for employment in isolation and that regard is also had to how employment sites also relate to other forms of new development, especially housing. In many respects, housing and employment go 'hand in hand' and the Council has very recently published a similar consultation document on housing sites and policies. Consultation on housing sites was carried out slightly in advance of employment sites to avoid slippage in the timetable for publishing a preferred strategy for allocating housing land. This employment document has been prepared with regard to the scale and distribution of the housing sites also being proposed.
- 1.20 The Council's next priority is to look at what infrastructure is needed to support new development and then to work towards producing a final single Local Plan.

## About this document

### How much employment land do we need?

- 1.21 The Council's Core Strategy requires that provision be made for 50 hectares of land for new employment development to meet future employment growth needs up to 2025. Since this target was set, around 8 hectares of land has been developed for new employment, and this has taken place mainly in Penrith or on sites in rural locations and local service centres. As a result, there is now a need to identify around 42 hectares of land for new employment development.

**Table 1.1: Future Employment Requirements**

Settlement	Proportion	Amount	Completions	Requirement
<b>Penrith</b>	60%	30 ha	3.8 ha	26.2 ha
<b>Alston</b>	4%	2 ha	0 ha	2.0 ha
<b>Appleby</b>	9%	4.5 ha	0 ha	4.5 ha
<b>Kirkby Stephen</b>	7%	3.5 ha	0.3 ha	3.2 ha
<b>Local Service Centres/Elsewhere</b>	20%	10 ha	4.2 ha	5.8 ha
<b>Total</b>	<b>100%</b>	<b>50 ha</b>	<b>8.3 ha</b>	<b>41.7ha</b>

- 1.22 Our assessment has identified 37.1 ha of land being suitable for an employment allocation. This represents an overall shortfall of 4.6 ha. across the District. Table 1.2 below analyses each of the assessment areas against the requirement for each settlement and the balance of land available.



**Table 1.2: Future Employment Requirements**

Settlement	Amount	Requirement	Identified	Balance
Penrith	30 ha	26.2 ha	22.0 ha	- 6.2 ha
Alston	2 ha	2.0 ha	2.14 ha	+ 0.14 ha
Appleby	4.5 ha	4.5 ha	4.54 ha	+ 0.04 ha
Kirkby Stephen	3.5 ha	3.2 ha	5.5 ha	+ 2.3 ha
Local Service Centres/Elsewhere	10 ha	5.8 ha	2.92 ha	- 2.88 ha
<b>Total</b>	<b>50 ha</b>	<b>41.7ha</b>	<b>37.1 ha</b>	<b>-4.6 ha</b>

1.23 The above table illustrates the extent of the shortfall of sites in Penrith and the Local Service Centres/elsewhere which could be brought forward for employment uses over the plan period. As part of this consultation, we are therefore asking you to submit any alternative sites which may not have been previously promoted, or that we may have missed.

### **Where should employment land be provided?**

1.24 The Core Strategy does not state exactly how much employment land should be provided in different parts of the District, although it does require that:

- Strategic employment land should be at Penrith;
- More moderate employment growth should take place in the District's three key market towns of Alston, Appleby and Kirkby Stephen; and
- Outside of Penrith and the three market towns, employment growth should be smaller scale.

1.25 This follows the Core Strategy's development hierarchy for the district which identifies Penrith as the main service centre, followed by the next three largest town of Alston, Appleby and Kirkby Stephen. Due to the range of available services, the three market towns are seen as the most suitable locations for development after Penrith. This same development hierarchy has also been used for the location of new housing development.

### **Why do we need this much employment land?**

1.26 Recent average rates of employment development have been low. This has been due to a range of factors, with the most significant one over the past few years being the economic recession. It will be important however to plan positively for when the economy recovers and this will require making sure that there is enough employment land to meet future needs.

1.27 Eden District does have a number of economic advantages such access to the M6 motorway corridor, the fact that local residents have higher than average qualification levels and the potential to benefit from the growth of the Energy Coast in West Cumbria. However, in order to make the most of these strengths and to 'compete' with other locations, having enough employment land, and this land being of the right type and in the right place, will be very important.

- 1.28 An employment land study was prepared in 2009 as part of the evidence base to inform the Core Strategy. This identified that the number of jobs in the District is forecast to grow over the Core Strategy period (and the Council considers that the level of job growth could increase even further than predicted as a result of economic regeneration activity in the area). This study also considered whether an employment land target of 50 hectares would be appropriate. It concluded that that such a target would not be unreasonable and that if appropriately translated into site allocations, this amount of land would provide for a robust employment land portfolio.
- 1.29 At the moment the District has around 38 hectares of employment land so in simple terms, there is already almost enough land identified to meet future land requirement of around 42 hectares. Much of this existing land supply is however made up of sites carried forward from the previous 1996 Eden District Local Plan and has remained undeveloped for many years. National planning policy requires that sites should not be protected for employment use where there is no reasonable prospect of it being used for that purpose. It also requires that land allocations should be regularly reviewed. It is important therefore to assess whether these existing sites are still appropriate or whether they should be replaced by new better sites.

#### **Why is Penrith seen as the main focus for new employment development?**

- 1.30 This is because it is by far the biggest town in the district, it contains the most services, has the best transport links, including to the M6 motorway, and also has the most housing opportunities. The Council is also keen to see the town prosper, and delivering new jobs and houses into the town is key to this. The Council also commissioned a masterplan for the town in 2012, the contents of which have been carefully considered, and where necessary, re-assessed, in defining the employment sites for Penrith set out in this document.

#### **When will new employment development come forward in Penrith?**

- 1.31 The development strategy for Penrith is long term. The Council does not expect all of the employment land in Penrith to come forward in the short – medium term, because of lead-in times, market and infrastructure considerations and the need to secure planning permissions. This will be particularly true of larger sites which may require relatively large amounts of new and improved infrastructure and for which funding may need to be found from a range of sources. The Council expects that the town would grow gradually over the next 15 – 20 years, in line with the vision for future housing growth in Penrith.

#### **How do you know what infrastructure is needed and how will it be paid for?**

- 1.32 When allocating new land the District Council must work out how much supporting infrastructure will be needed, how much it will cost and who will pay for it. Without providing this information the Council will not be able to move forward to adopt new plans. In practice estimating infrastructure requirements is an ongoing process. Some work has already been done as part of the Penrith masterplan and as part of the current site options assessment process. Additionally have been liaising with the County Council on traffic modelling work, which has also helped inform the allocations process. The Council will continue to carry out work and will develop an infrastructure delivery plan to support land allocations.
- 1.33 Some infrastructure will be paid for by developers and land owners, and some from the

public purse. Part of the work on infrastructure will need to look at what can viably be delivered by using development values to fund new infrastructure. The Council also has the option of producing a Community Infrastructure Levy Charging Schedule which would apply a flat rate to be charged from developers for certain types of development above a certain size, which is then used for funding infrastructure.

## The Preferred Sites

### How have preferred sites been selected?

1.34 Firstly, a list of potential sites was drawn up, using a number of sources, including:

- Sites included within Cumbria County Council's employment land monitoring information, including existing undeveloped or part developed employment allocations included in the previous 1996 Eden District Local Plan;
- Other sites within / around Penrith considered through the Penrith Masterplan;
- Appropriate sites identified through a 'Call for Sites' exercise;
- Other sites already put to the Council, such as potentially surplus land owned by the County Council.

1.35 In general, already developed employment sites were excluded as potential sites unless they were thought to be a clear and realistic redevelopment opportunity which could make a meaningful contribution to the supply of employment land.

1.36 Each potential employment site has then been assessed or 'scored' through applying a range of assessment criteria and associated more detailed indicators. The criteria and indicators used are summarised in the following table.

**Table 1.3: Assessment Criteria and Associated Indicators.**

Factor	Appraisal Criteria	Indicator
<b>Market Attractiveness</b>	Quality of the Environment	Quality of internal site environments Quality of external site environments Amenity impacts Adjoining land uses Road frontage visibility Availability of local services and facilities
	Accessibility	Access to the Motorway / Strategic Road Network Quality / capacity of local road access Quality of site access
	Market Conditions / Perceptions of Demand	Duration of availability Marketing and enquiry interest
	Ownership	Ownership and owner aspirations

	Site Development Constraints	Environmental constraints Heritage constraints Policy constraints / requirements Physical / geological site features Ground conditions / contamination Flooding
<b>Environmental Sustainability</b>	Prudent Use of Natural Resources	Sequential location Land classification Agricultural land classification Access to public transport Ease of walking and cycling
	Effective Protection and Enhancement of the Environment	Potential to enhance environmental quality
<b>Strategic Planning</b>	Social Progress and Regeneration	Multiple Deprivation Indices Impact on visual amenity and natural environment Ability to deliver regeneration objectives
	Economic Development	Ability to improve local economic activity rates Ability to deliver economic development objectives

- 1.37 Site assessment criteria have been based around three main issues: market attractiveness, environmental sustainability; and strategic planning. As part of the assessment, particular emphasis has been placed on market attractiveness to seek to understand any issues which may affect site viability and its attractiveness to potential developers – in other words, whether the market is likely or not to bring the site forward.
- 1.38 To help to understand viability and site delivery issues, some viability work has been carried out to better understand what additional funding may be needed to bring forward possible sites, focussing on a sample of possible strategic sites in Penrith. This element of the selection process can be worked up further as the document progresses through to adoption, and the Council is keen to hear any opinions on the availability, likely viability and deliverability of different sites as part of this consultation process.
- 1.39 The information used to inform the site assessments has been taken from a variety of places, including:
- Site visits, most recently carried out during April 2013;
  - A review of different published plans and documents such as the Penrith masterplan;
  - Statistical and other published data sources, also including information held by the Council and the County Council;

- Results of the Sustainability Appraisal;
- Meetings and discussions with stakeholders, including a workshop held on 15<sup>th</sup> March; and
- A review of reports and other information such as recent aerial photographs.

1.40 Finally, whilst the technical assessment allows the Council to arrive at an allocations strategy there is also an element of judgement involved on occasions, particularly where there are a number of sites that could be selected. Whilst it is thought that the most suitable sites have been identified, our information about and knowledge of the area cannot match that of the people living and working in the District's towns and villages. For this reason, the other important step in this process is taking into account the opinions of residents, workers, organisations and businesses in the District. Again, it is important to stress that allocations may change if there is strength of opinion and evidence which favours suitable alternative sites coming forward.

### **What happens if I know of a suitable site that isn't included?**

1.41 Although a 'call for employment sites' exercise has recently been completed, as part of this consultation the Council is asking again for any additional employment sites that may have been missed to be sent to see if they are a better option than some of those in this document. It would help if you could also supply any evidence as to why other sites may be better - for example, a willing landowner, a lack of constraints and so on.

### **What happens to any sites not allocated?**

1.42 If a site is not allocated it does not mean that it won't get a planning permission - under Government policy a presumption in favour of sustainable development still applies and any applications for development will be assessed against this and policies in the development plan. However, anyone putting in a planning application for development on an allocated site has more certainty over whether permission will be granted.

## **Taking Part in this Process**

### **How have previous views been taken into account?**

1.43 Any sites identified through the recent call for sites consultation exercise have been assessed. Comments expressed by stakeholders that attended a workshop on 15<sup>th</sup> March have also been taken into account in preparing this document.

### **What are the key points on which we would like your views?**

1.44 The Council is seeking views on Part 2 of this document, which contains the preferred employment sites and policies. In particular, the Council would welcome comments on:

- Any issues there may be with sites that may mean they cannot be built upon – for example land ownership constraints, flooding, access etc. Conversely if constraints have been identified that are no longer applicable please let us know.
- Whether there are any sites that have been missed and which could provide a better alternative than those selected.
- If developers or landowners are looking to develop sites, when they may be available, and what types of employment are envisaged.

- Whether the suite of policies set out is the most suitable for the district, and can be clearly understood and delivered upon.

1.45 Comments are also welcomed on any of the background documents that have been produced, and on how the presentation of future documents could be improved. The Council would also welcome any views on a couple of technical supporting documents - the Sustainability Appraisal and the Habitats Regulation Assessment screening Appraisal.

### **How can I comment?**

1.46 This document is now being made available for representations from 15 July 2013 to 9 September 2013.

#### **Please make your comments using:**

The **Online Consultation Form**. This can be accessed via the Planning Policy pages at <https://eforms.eden.gov.uk/formserver/ldfemploymentconsultation.form>.

This form allows for comments on specific sites and policies to be made, and can also be used to send potential new sites forward for consideration.

It would greatly assist when analysing comments if this online form could be used. However, it is acknowledged that some may prefer using an alternative method:

1.47 In writing:

#### **Ideally using the representation forms provided, which should be sent to:**

Planning Policy  
Eden District Council  
Mansion House  
Penrith CA11 7YG

1.48 By email: [\*\*preferredsites@eden.gov.uk\*\*](mailto:preferredsites@eden.gov.uk)

**The closing date for comments is 9 September 2013. Comments received after this date will not be taken into account when further versions are produced.**

The Council will also be running a drop in events around the district in Penrith. The event details are below

- Wednesday 21<sup>st</sup> August from 4pm to 7pm in the Penrith Methodist Church.

1.49 This document, together with supporting annexes can be found at:  
<http://www.eden.gov.uk/employmentsites>

### **What happens next?**

1.50 Much will depend on the results of this consultation exercise and the comments submitted. The Council will consider all comments, and if no or only minor changes are necessary they may be incorporated into a "Submission Version" of this part of the Local Plan, prior to being submitted formally to the Secretary of State for independent examination in public.

Further work may need to be carried out on viability, infrastructure and deliverability before this occurs.

- 1.51 If major changes are required or new sites submitted and selected, further consultation on these changes will likely be carried out by the Council before moving to this stage. In this event it is likely that future versions of this document will be combined with policy and allocations covering housing / other issues to produce a single Local Plan.
- 1.52 A revised “Proposals Map” will also be prepared. Maps in this document show how we propose to change the allocations on the current Proposals Map.

# PART 2 – Employment: Preferred Sites and Policies

## Employment – Preferred Sites and Policies

### Proposed New Policies

**Note:** Preferred policies are set out below, with an explanation and any alternatives considered. The text also states whether any policies are intended to replace any Local Plan “saved” policies or ultimately supersede any parts of the adopted Core Strategy. The final version of this document will contain the policies and accompanying explanations only.

### Policy ES1 – Employment Allocations

#### *Preferred Option*

***The following sites are allocated for new employment development. The location of the allocated sites is shown on maps enclosed as Appendix A to this document.***

#### Penrith

Site Ref	Site Name	Total Size (Ha)	Developable Land (Ha)	Permissible Use Classes (other comments)
2A	Gillwilly Industrial Estate extension	15.07	12	B1, B2 or B8 – There is a pond within the site boundary and development of this site may require protected species surveys and possibly mitigation measures.
2B	Eden Business Park Phase 2	4.2	4.2	B1, B2 or B8 – A large section of the proposed site is coastal and floodplain grazing marsh which is a protected habitat. However, this is a large site and there may be potential for development some of the site whilst leaving key areas for wetlands and habitats.
42	Kemply Bank, Penrith	5.50	1	B1 (site development subject to further assessment and discussion with Natural England). – There are no immediate residential neighbours to the site and development here,



Site Ref	Site Name	Total Size (Ha)	Developable Land (Ha)	Permissible Use Classes (other comments)
				subject to normal environmental controls is unlikely to impair the quality of life for residents.
MP B	Masterplan Option B, Redhills – land to the south of A66 (west)	3	3	B1 (site development subject to further assessment and discussion with Natural England). Other potential uses may be appropriate, subject to wider Development Management policies and Consultation. During the SA and HRA process, concern about the potential effects on the River Eden has resulted in a redrafting of the site boundary. It is imperative there is sufficient mitigation in place to prevent runoff from the site indirectly entering the River Eden.
MP C	Masterplan Option C, Skirsgill – land to the south of A66 (east)	3.5	3.5	B8/B2 (site development subject to further assessment and discussion with Natural England). – As a result of the SA and HRA assessments, the site has been reduced to provide land to develop appropriate mitigation between the site and the River Eamont which is a SAC.
<b>Total</b>		<b>29.5</b>	<b>22</b>	

## Alston

Site Ref	Site Name	Total Size (Ha)	Developable Land (Ha)	Permissible Use Classes
24	Skelgillside Workshops	1.96	1.31	B1, B2 or B8 - Large scale employment development in this area would change the character of the area. Therefore any employment development would need to be appropriate to the setting in this rural upland landscape.
29	Bonds Factory	1.43	0.83	B1, B2 or B8 - Mitigation measures would be required to be ensure that development was environmentally sensitive, sympathetic building design and materials, and appropriate planting to retain its

Site Ref	Site Name	Total Size (Ha)	Developable Land (Ha)	Permissible Use Classes
				character of the area.
26	High Mill	0.17	N/A	B1 (The Council may consider a mixed use development to include C3) - The mill is an existing building within the Alston Conservation Area. Any external changes would be very tightly controlled and development of the site is likely to result in the restoration of a currently derelict character.
<b>Total</b>		<b>3.56</b>	<b>2.14</b>	

### Appleby

Site Ref	Site Name	Total Size (Ha)	Developable Land (Ha)	Permissible Use Classes
19	Cross Croft Industrial Estate	6.36	2.56	B1, B2 or B8 - There are no known sites or species of biodiversity importance within 250m of site however the River SAC is located just over 500m from the site.
21	The Old Creamery	1.98	1.98	B1 (The Council may consider a mixed use development) - The site is immediately adjacent to the Settle-Carlisle railway Conservation Area which protects the historic railway line. The Appleby conservation area is about 330m away from the centre of the site, with the closet listed building about 320m and SAM 430m.
23	Shire Hall	0.12	N/A	B1 - Due to its location in the centre of Appleby, employment activity would be restricted to ensure there is no risk of harm to sensitive neighbouring receptors. Therefore there should be no impact on the SAC.
<b>Total</b>		<b>8.46</b>	<b>4.54</b>	

## Kirby Stephen

Site Ref	Site Name	Total Size (Ha)	Developable Land (Ha)	Permissible Use Classes
33	Kirkby Stephen Business Park	5.5	5.5	B1, B2 or B8 - There is likely to be no ecological effect on this designated site. Unless the TPO trees are actually on the site they would not be at risk of development.
<b>Total</b>		<b>5.5</b>	<b>5.5</b>	

## Local Service Centres and Elsewhere

Site Ref	Site Name	Total Size (Ha)	Developable Land (Ha)	Permissible Use Classes
38(b)	Old Tebay Depot	3.91	1.42	B1, B2 or B8 - Provided that appropriate site design mitigation and environmental controls were implemented there should not be a risk to human health from the redevelopment of this site. Problems are more likely to occur during construction with the risk of disturbing contaminated material arising from the site's former use.
40	Brough Main Street	3.0	1.5	B1, B2 or B8 - The redevelopment of this area is unlikely to have an adverse effect on the landscape in the north but there would be negligible effect on the landscape from development in the southern part of the site.
<b>Total</b>		<b>5.08</b>	<b>2.92</b>	

***Planning permission will be granted for the use classes identified subject to compliance with the criteria listed in Policy ES3.***

### *Explanation*

This policy sets out the sites to be allocated for future employment development in Penrith and the three market towns of Alston, Appleby and Kirkby Stephen. It is the intention that these sites will be safeguarded for the permissible employment uses classes identified unless it can be shown that there is no reasonable prospect of a site being used for the allocated employment use. The level of employment land allocated and the distribution of allocated sites across the District is in broad accordance with Policies CS2 and CS13 of the adopted Core Strategy.

## **Shortfall**

Insufficient, deliverable employment land has been identified in Penrith and the Local Service Centres. In order to meet the Core Strategy provision, alternative sites which come forward during the plan period will be determined against the criteria listed in Policy ES3.

### *Reasons for this policy*

This policy sets out employment allocations and is essential to providing certainty on where new employment development will be located and seeks to ensure that an appropriate portfolio of employment land is identified to meet future employment needs and to encourage the future economic growth of the area.

The preferred options are shown on the maps at the end of this document. The next section briefly discusses each preferred option

## **Penrith**

### *Preferred Option*

The locational policy provided by Policy CS2 seeks to focus strategic employment land to Penrith as the Districts' Key Service Centre. The policy is not prescriptive as to the precise proportions and amounts of employment land to be distributed between the different areas across the District. Supporting text to Policy CS2 (paragraph 4.13) does however propose a proportional split for housing across the District. If applying a similar approach for employment and applying the 50 hectare target included in Policy CS13 this would require a land supply of 30 hectares (which is reduced to around 25 hectares when taking into account development already completed since the target was set).

We have identified 5 strategic sites which will provide suitable land to at least satisfy potential requirements coming forward during the plan period under the B use classes. Two of the sites are focused around the existing Gillwilly Industrial Estate but does not include the strategic allocation of the Eden Business Park given the issues surrounding viability and deliverability, particularly in respect of the delivery of a new access road to Junction 41 of the M6. Instead we have chosen to allocate 4.2 hectares of the Eden Business Park (Site 2B) to provide viable expansion land to Gillwilly Industrial estate (Site 2A) if the remaining plots of land are built out during the plan period. It is important to note, however, that the Eden Business Park (Site 2B) remains a long-term strategic objective of Eden District Council in accordance with the Core Strategy, and whilst development of this site is not currently viable, the Council will continue to explore options which may help unlock development at this site in the long-term and beyond the current plan period.

The two sites identified as part of the Penrith Masterplan (sites B and C) have been subject to more detailed viability analysis. Whilst development on these sites is not viable in the current economic climate, we have demonstrated how small improvements in the market during the plan period would allow these sites to come forward, subject to market requirements. In the short to medium term it is more likely that the smaller sites will be developed, particularly the remaining plots of the Gillwilly Industrial Estate and Kemply Bank, a sentiment echoed during the stakeholder workshop.

## Alternative Options

During our assessment of sites, we looked at the wider potential of some of the sites shortlisted as well as those which were deleted from our assessment for the following reasons:

Eden Business Park – Phase 2 (Site 2B). Although identified in the Core Strategy, the development of this very large site was based on substantial public investment which is no longer available, particularly in respect of the new access road to Junction 41 of the M6. In addition, there simply is not the market demand for such a large quantum of development land for employment purposes, and to allocate this site would be unrealistic. We have identified a small portion of the site to provide expansion space to the existing Gillwilly Industrial Estate (Site 2A) which could be brought forward during the plan period by extending the existing estate road.

**Masterplan Site A:** This site extends to 60 hectares, and similar to the comments above, the cost of unlocking such a large development site, without significant public sector investment would not be viable. In addition, there simply is not the market demand for such a large level of development land for employment purposes, and to allocate this site would be unrealistic.

**Masterplan Site B:** The original site boundary put forward extends to 30 hectares. Large warehouse/light industrial units would be inappropriate in this location given its setting and rural character. The site benefits from excellent road access from the M6 and A66. We reconsidered a smaller site boundary of 3 hectares on land already in public ownership (Eden District Council) based on the assumption of small scale office units. Although the viability appraisals show that under current market conditions the development in this location is unviable, they do show that improvements in the market during the plan period would make them a viable opportunity if Eden District Council worked with developers to bring the site forward for B1 (a) office uses.

The allocation of this site is based on analysis of commercial viability, undertaken as part of the Issues and Options Assessment. Our assessment of capital values showed that development of the development of the entire site was not viable, but by reducing the site to include land owned by the public sector may present an opportunity for early delivery, particularly if a public/private partnership approach was taken. There were also a number of sustainability issues associated with the wider site which will require more detailed investigation. We undertook further analysis to show how improvements in the market over the plan period could create sufficient capital value to underpin development and deliver employment uses on this site. We have therefore only put forward an allocation which could realistically come forward during the plan period, but it should be noted that, with further analysis and investigation on sustainability issues, additional land could be released for development in the longer-term. Any development at this site would need to be supported by an appropriate landscaping strategy to reflect the setting of this site and to provide an appropriate buffer between development and the open countryside.

**Masterplan Site C:** The original site boundary put forward extends to 14 hectares. We initially explored the potential of a mixed use allocation to include residential, the residential element creating the value to unlock the remaining site for employment uses. However, given the scale of development and the low capital values in the current market, the site was unviable despite the residential element. We revised the site boundary to include land owned only by Cumbria County Council and Eden District Council which reduced the site area to 3.5 hectares on land immediately adjacent to the A66. Although the viability appraisals showed that under current market conditions the development in this location remained unviable, they do show that

improvements in the market during the plan period would make them a viable opportunity if Cumbria County Council and Eden District Council worked with developers to bring the site forward for B2 (industrial) and B8 (warehousing and distribution) uses. If market conditions were to improve, there may be an opportunity to increase the area of land available for development, subject to wider Development Management Policies and Consultation, particularly around the wider implications for the River Eden Special Area of Conservation.

Although not assessed as part of the study, the Council is aware of ambitions to expand operations at Newton Rigg College. This may include the promotion of land as potential office space to help diversify the campus. The Council will work closely with the College to support this ambition and this will be explored and articulated in future versions.

**Alston** – Preferred Option – allocation of 3 sites to provide 2.14 ha of land for new employment development. The allocations also include High Mill which presents an opportunity for a residential led, mixed-use development with an active ground floor to include B1(a) (office) use.

**Appleby** – Preferred Option – allocation of 3 sites to provide 4.54 ha of land for new employment development. The allocations also include the former Old Creamery which presents an opportunity for a mixed-use development to include B Class uses.

**Kirkby Stephen** – Preferred Option – allocation of 1 site to provide 5.5 ha of land for new employment development as an extension to the existing Business Park.

### *Alternative Options*

In relation to the three market towns, very few additional alternative sites were identified beyond those included in the policy. Those additional sites that were identified were discounted at an early stage for reasons such as being already developed and in current use. As such the main alternative options would be to allocate a lesser amount of land than identified in the preferred option or to not allocate sites and to rely on a more general policy to control future employment proposals in these towns. The reason for rejecting these alternatives was that it is considered important to identify specific sites in the market towns because these are seen as the most suitable locations for employment growth development after Penrith.

### **Local Service Centres and Elsewhere in the District**

In line with Core Strategy Policy CS2, outside of Penrith and the three market towns, the spatial strategy for the district promotes only small scale employment growth, however, relatively few sites (only 2.92 hectares) have been identified through the technical work and these generally tend to be small in scale. Rather new employment development in the local service centres will be permitted under a new Policy ES3 so as not to unduly constrain appropriate opportunities.

### ***Will this policy eventually replace any saved policies in the 1996 Local Plan?***

Yes:

- EM1 Business Park Allocation;
- EM2 Employment Site Allocation;
- EM3 Local Employment Site Allocation;
- EM4 Small Employment Site Allocation;

### ***Will this policy replace or supersede any parts of the Core Strategy?***

In the main no, although employment land targets are updated following monitoring of past employment completions. The policy also builds on principle 2 included Policy CS12 of the Core Strategy. The policy still proposes an extension to the Eden Business Park although due to highways and viability constraints in particular, the scale of extension is smaller than anticipated when drafting the Core Strategy. Also, since the Core Strategy, other potential strategic employment sites have been identified through the further technical work supporting this document.

## **Policy ES2: Protection of Employment Sites**

### ***Preferred Option***

***Planning permission for non-employment uses on existing employment allocations or sites currently or last in employment use will be permitted where it can be shown that:***

- ***The loss of the site would not have an unacceptable impact on the quality and quantity of employment land and premises in the area; or***
- ***The development would result in the removal of a non-conforming use from a residential area; or***
- ***There is a demonstrable lack of market demand; or***
- ***Employment development would not be viable on the site.***

### ***Explanation***

This policy builds on principle 3 included Policy CS12 of the Core Strategy and also reflects the National Planning Policy Framework in seeking to protect employment land and existing employment sites unless there is a reasonable prospect that a site will not be able to be developed for employment or retained in employment purposes.

In assessing quantitative and qualitative impacts on the supply of employment land and premises, regard should be had to available land and premises in the local area and it will therefore be important for the Council to continue to regularly monitor this position.

In assessing details of active marketing, it will be important to ensure that this has been done for a sufficient period and in a robust way. The precise period of marketing will be influenced by prevailing market conditions at the time but a minimum period of 12 months would normally be appropriate. The extent of marketing required will vary from site to site depending on its size and type but the use of a commercial property agent will be expected. Proposals should also demonstrate that the site is being marketed at a reasonable price comparable to other similar sites and premises in the locality. Flexibility in marketing should also be demonstrated; for example, offering sites / premises on a freehold or leasehold basis and promoting opportunities for smaller requirements through sub-division.

In determining the viability for employment, a development appraisal should accompany proposals to clearly demonstrate why redevelopment for employment purposes is not commercially viable, identifying the abnormal and other costs which would prevent an appropriate employment scheme coming forward within a reasonable timescale during the plan period. Development Appraisals should be prepared on an open book basis. In assessing

viability, consultation should also be had with the Council and others to explore the range of funding sources and mechanisms that could potentially be used to bring forward sites. Also, if a wholly employment scheme is not a viable form of development, developers / applicants will also be expected to consider whether mixed-use development (including an appropriate element of employment) would be an effective means of overcoming viability constraints.

#### *Reasons for this policy*

The National Planning Policy Framework requires that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Where there is no reasonable prospect of a site being used for the allocated employment use, Government policy requires applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

The policy sets out the 'tests' to be applied to determine whether the loss of an employment site will be acceptable and aims to provide an appropriate balance between protecting employment land and allowing its development for other uses should this be justified.

#### *Alternative Options*

The main alternative option considered was to not include such a policy. The reason that excluding this policy was rejected was that the absence of such a policy would not provide certainty to developers and others as to the range of circumstances when the loss of an employment site may be justified. This includes tests in relation to site marketing and viability to consider, in line with the NATIONAL PLANNING POLICY FRAMEWORK, whether or not there is a reasonable prospect of a site being used for employment use.

#### ***Will this policy eventually replace any saved policies in the 1996 Local Plan?***

No

#### ***Will this policy replace or supersede any parts of the Core Strategy?***

No, but the policy builds on principle 3 included Policy CS12 of the Core Strategy.

### **Policy ES3: Employment Development at Existing Settlements**

#### ***Preferred Option***

***Employment development within and adjacent to existing settlements, including proposals outside of the employment allocations listed in Policy ES1, will be permitted where all of the following criteria can be met:***

- ***Development is of a scale, type and design sympathetic to the location within which it is proposed;***
- ***Development would not have an unacceptable impact on highways or other forms of infrastructure;***
- ***Development would not give rise to any unacceptable impacts in relation to local amenity, landscape, ecology or other environmental and cultural heritage considerations; and***



- ***The development is capable of achieving appropriate standards of access, servicing, parking and amenity space.***

**In accordance with paragraph 15 of the National Planning Policy Framework, where development does not meet all of the above criteria, development may still be acceptable when assessed against the wider employment/economic benefits of the scheme.**

**Where commercially viable to do so, developers will be encouraged to consider wider sustainability solutions and BREAM ratings.**

#### *Explanation*

This policy sets out the criteria to be applied when assessing whether new employment proposals will be acceptable. It is intended to apply to employment development within the allocations identified in Policy ES1 as well as other proposals which may come forward outside of these allocations on land within and on the edge of Penrith, the three market towns and also the district's local service centres. It complements Policy CS14 of the Core Strategy which is concerned with employment development in rural areas (i.e. outside of the district's existing settlements).

Where proposals do not meet one or more of the above criteria, the acceptability of proposals will be considered against the employment, economic and other benefits of the development. Where proposals do not meet the above criteria, the Council will expect applicants to seek to minimise negative impacts as far as reasonable and, where appropriate, to provide suitable mitigation measures.

#### *Reasons for this policy*

The policy is included to seek to ensure that any employment development is appropriate to its location and that it does not cause unacceptable impacts on the local area. It also provides a framework for allowing appropriate new employment development outside of allocations so as not to prevent sustainable economic development and the necessary growth of the economy and employment in the area.

The principal theme running through the National Planning Policy Framework is facilitating economic growth and the need to build a strong economy: "Planning should operate to encourage and not act as an impediment to sustainable growth". The National Planning Policy Framework aims to cut red tape, encourage investment and promote jobs. It stresses "Investment in business should not be over-burdened by the combined requirements of policy expectations". Authorities are expected to set a clear vision and economic strategy to promote growth, set criteria for or identify strategic sites, support business, promote knowledge clusters and identify priority areas for economic regeneration which policy ES3 seeks to achieve.

The National Planning Policy Framework states that "Local authorities should approach decision making in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground". "LPAs should look for solutions rather than problems". Most importantly, paragraph 15 emphasises that the presumption in favour of sustainable development means that "development which is sustainable can be approved without delay".

Equally, the National Planning Policy Framework is clear that policies should avoid the long term protection of sites allocated for employment where there is no reasonable prospect of the

site being used for that purpose and draft Policy ES2 ensures suitable flexibility is afforded during the plan period.

### *Alternative Options*

The main alternative option considered was to not include such a policy. The reason that excluding this policy was rejected was that the absence of such a policy would not provide certainty to developers and others as to the factors that the Council will consider in assessing whether employment proposals are acceptable. The absence of such a policy would also mean that there would not be a detailed local policy to encourage appropriate new development at the district's settlements outside of the allocations included in Policy ES1.

### ***Will this policy eventually replace any saved policies in the 1996 Local Plan?***

Yes:

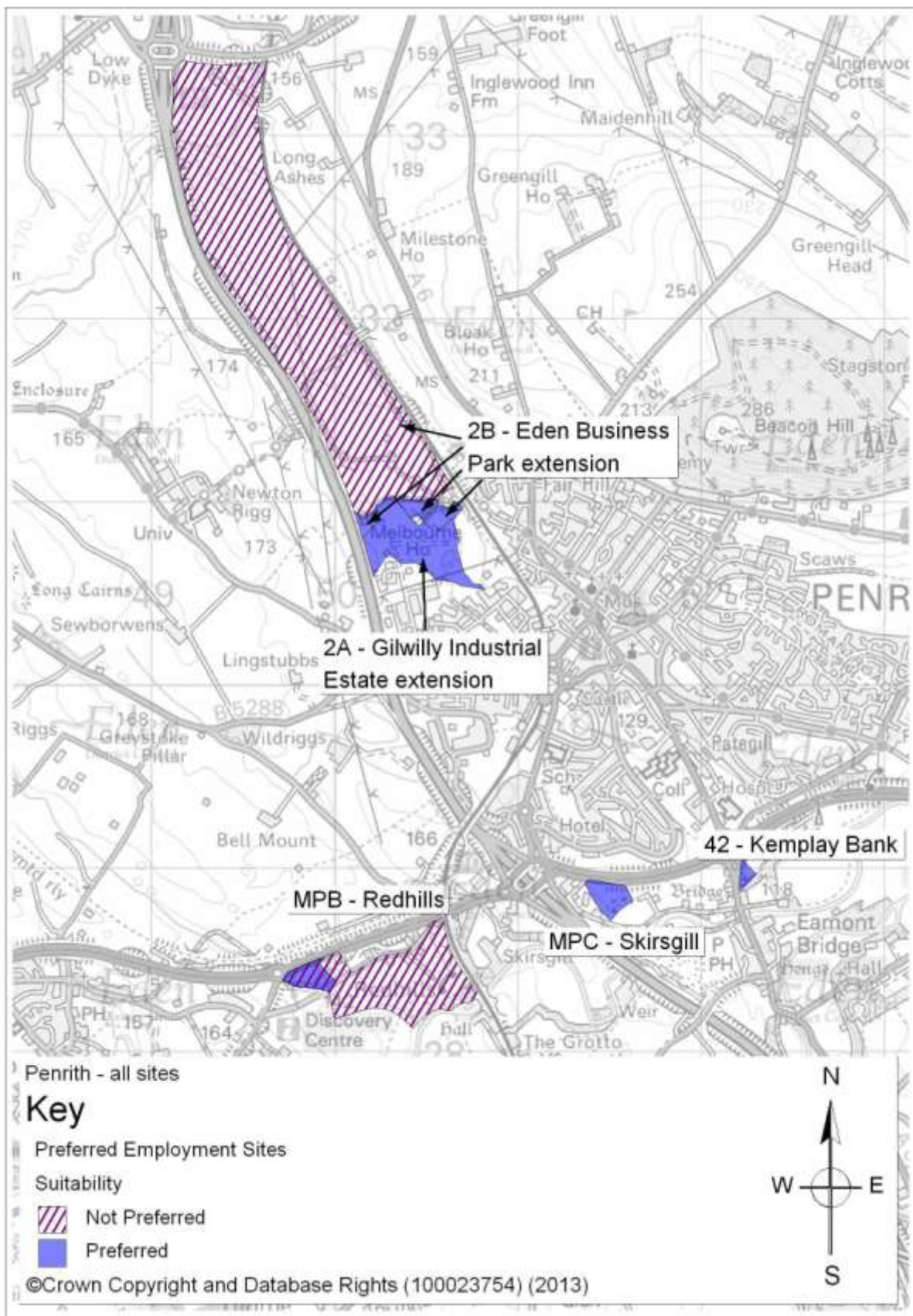
- EM5 Development on Allocated Sites
- EM7 Extension of Existing Sites and Premises
- EM8 Re-use of industrial or commercial sites
- EM11 Haulage Sites
- EM12 Employment Opportunities in the Settle-Carlisle Railway Corridor.

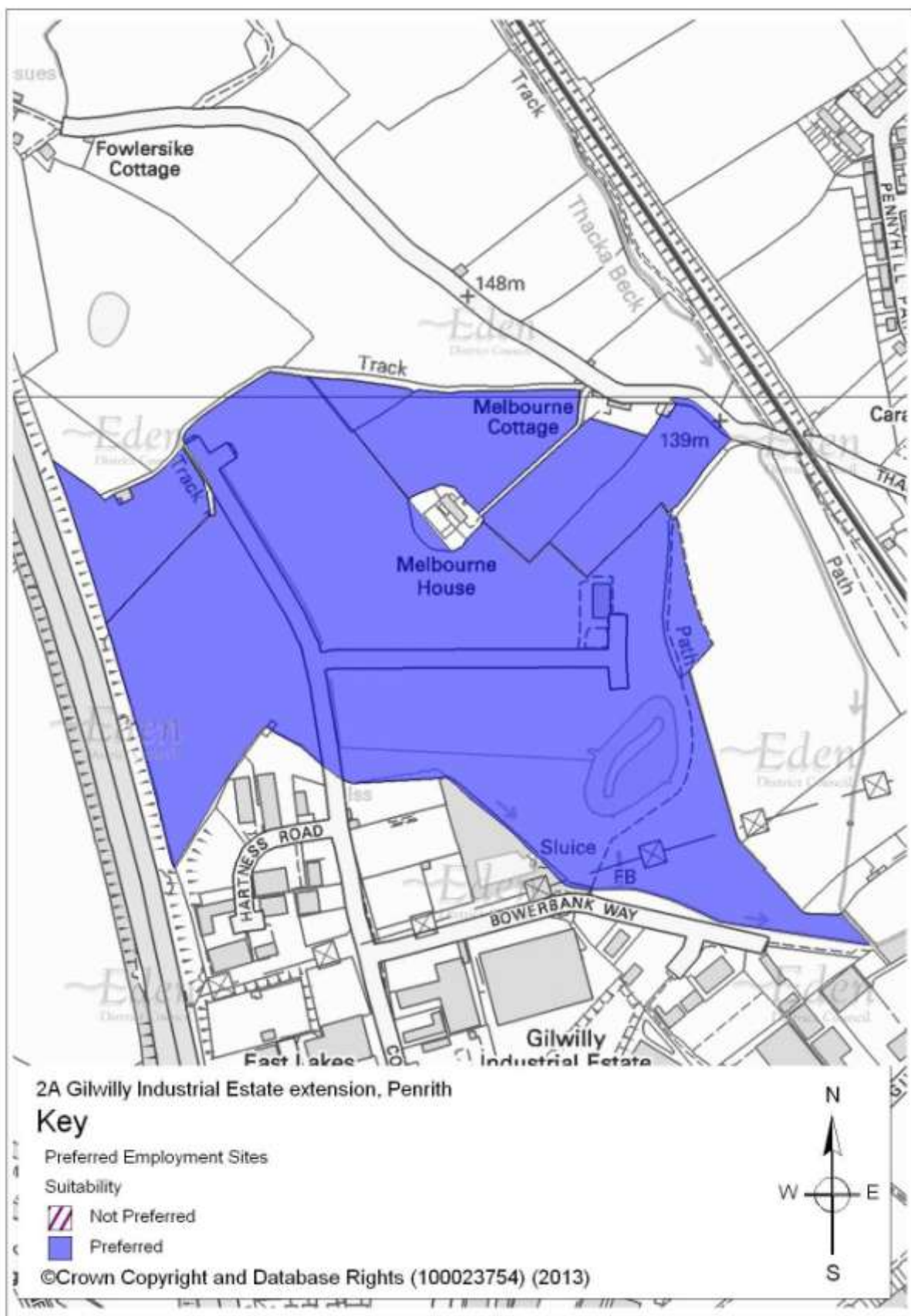
### ***Will this policy replace or supersede any parts of the Core Strategy?***

No, but the policy builds on principle 3 included Policy CS12 of the Core Strategy and complements its Policy CS14.

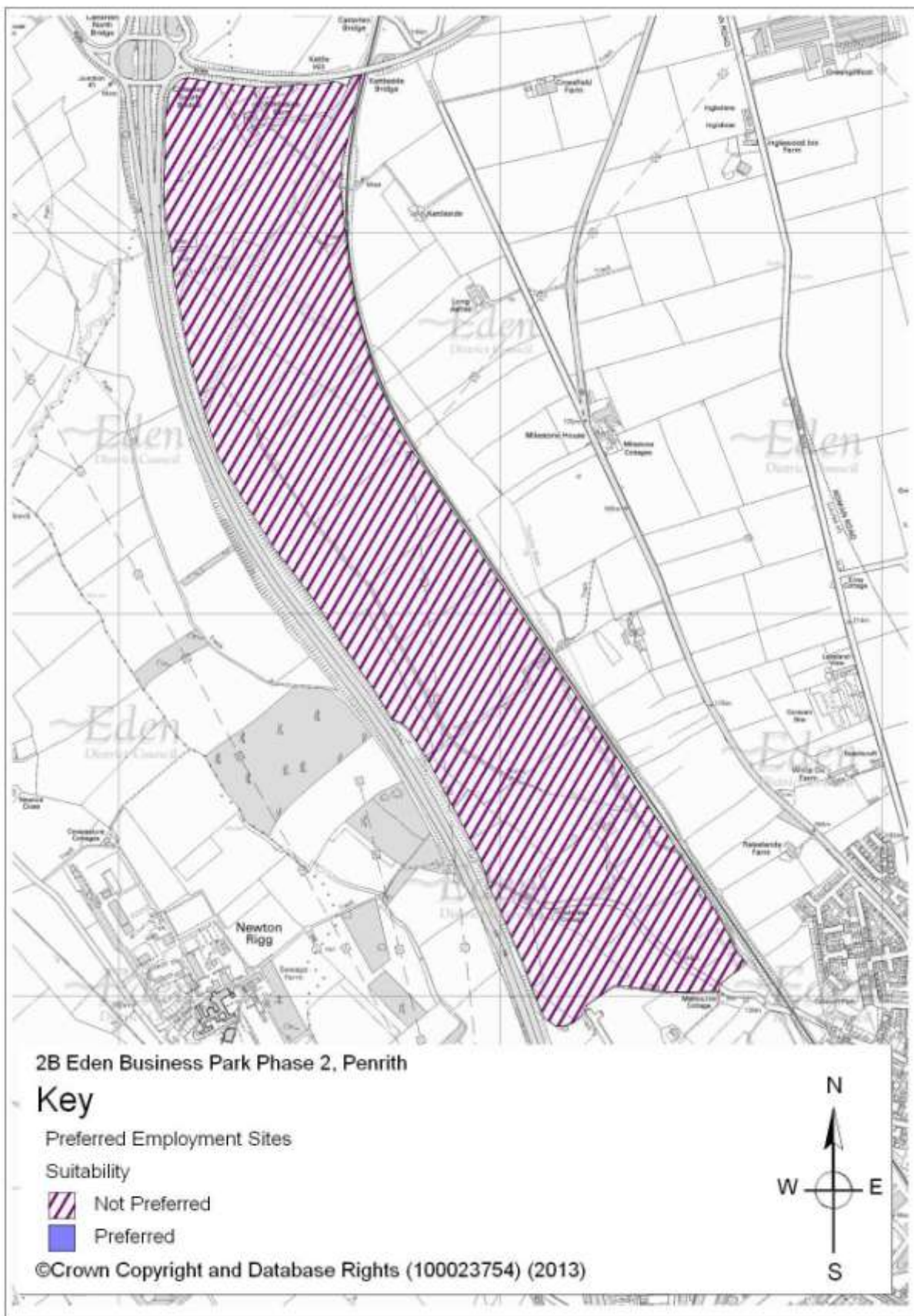
**Deloitte LLP**  
**June 2013**

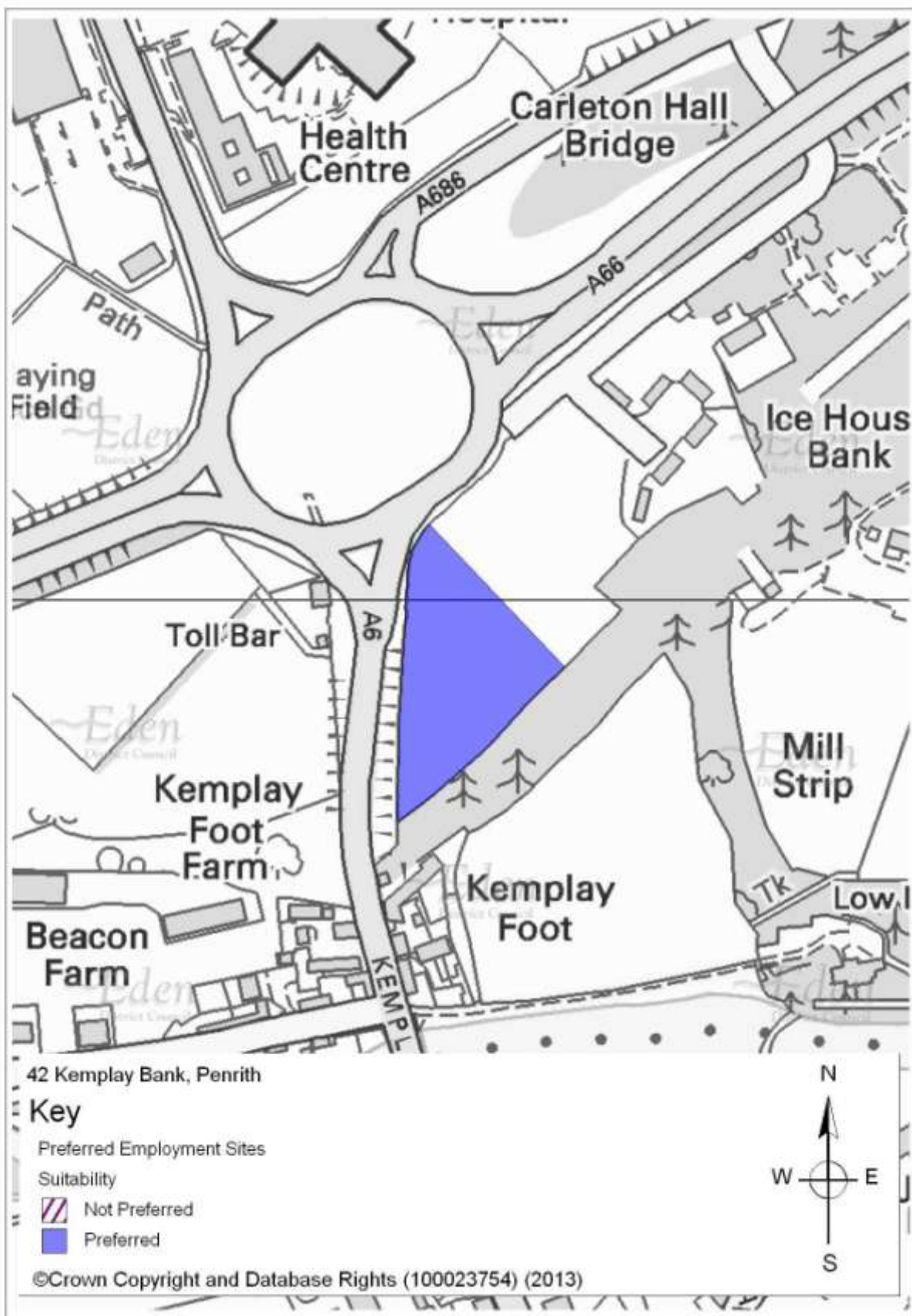
# Appendix A – Preferred Options, Detailed Site Location Plans



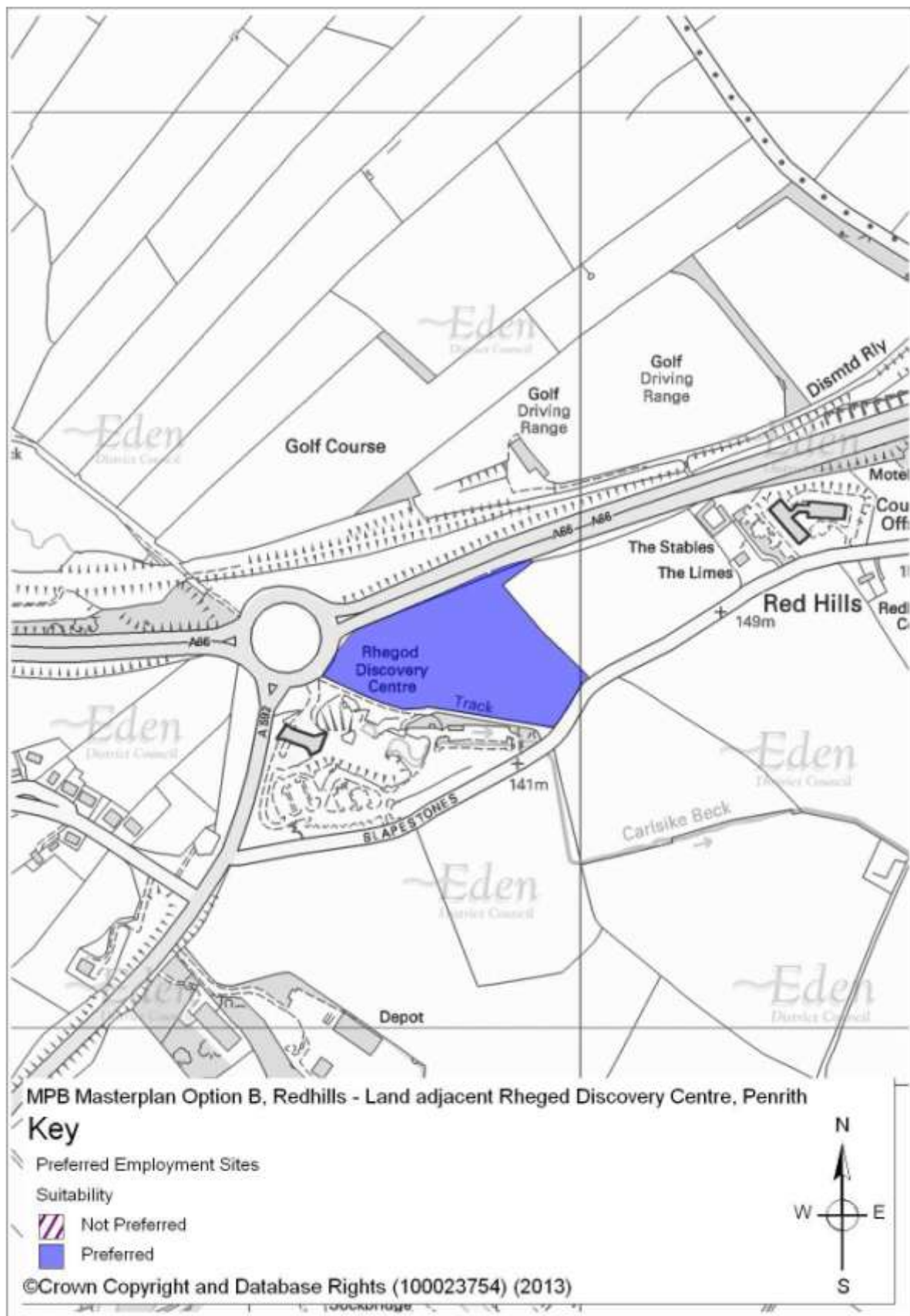




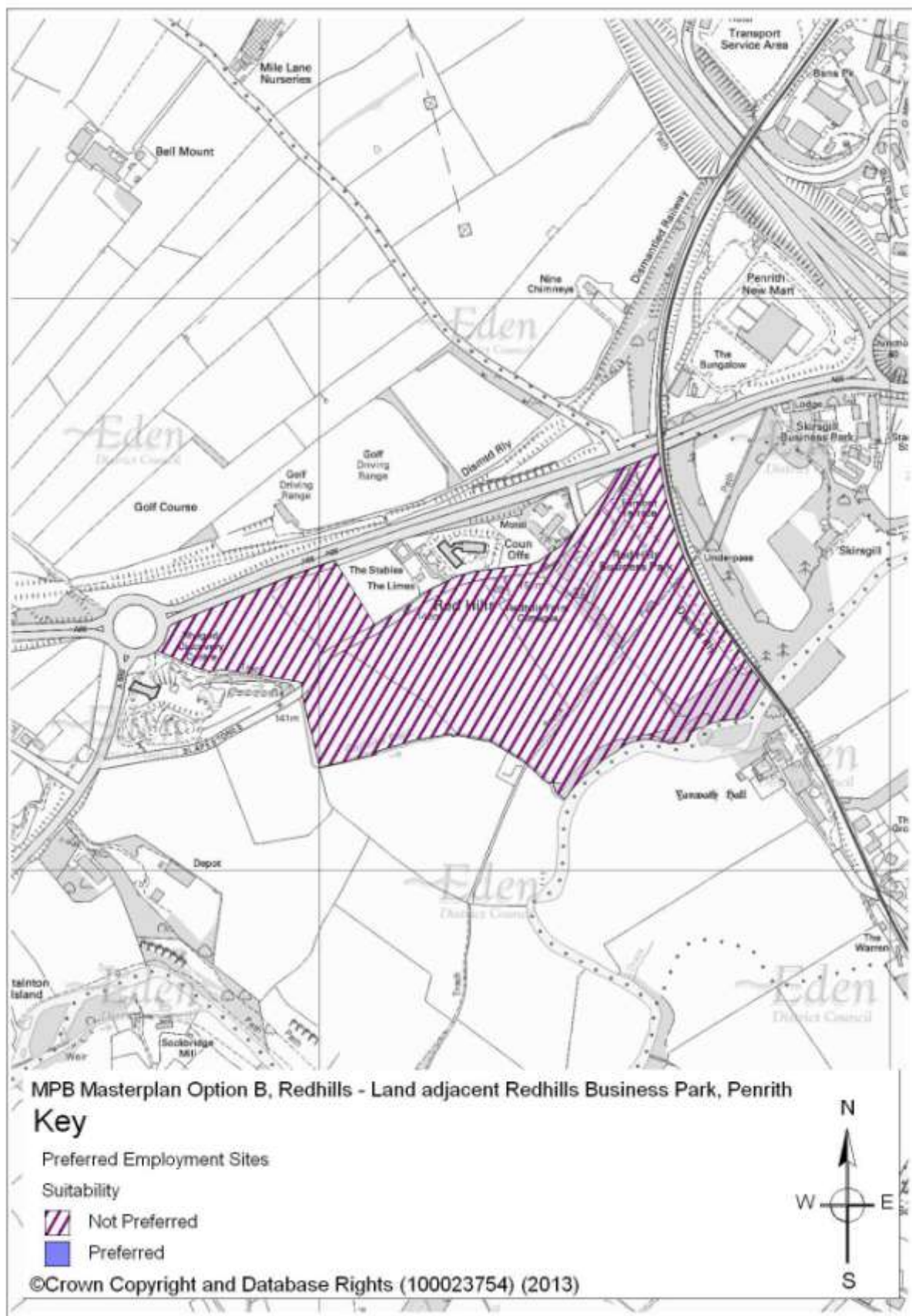


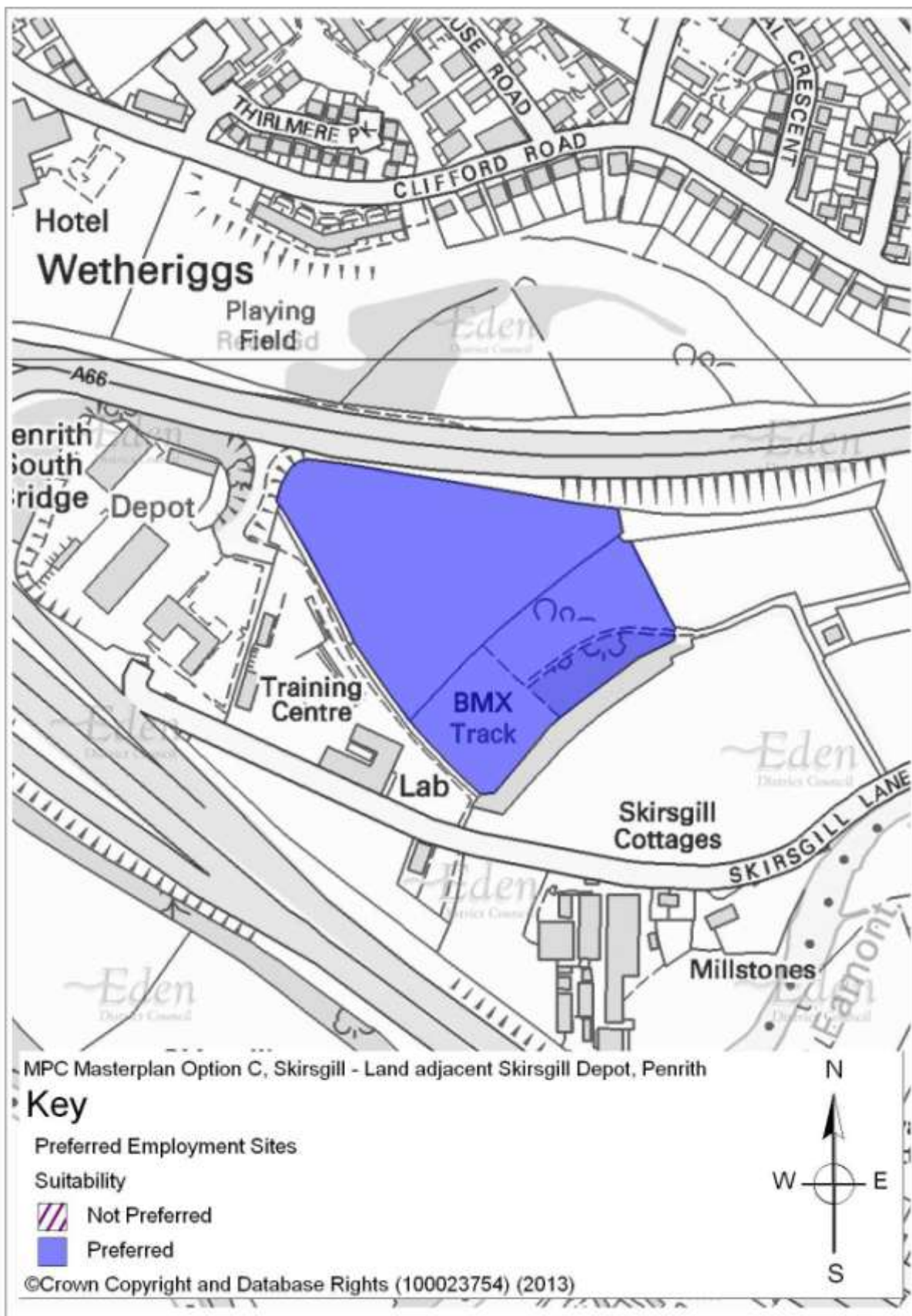


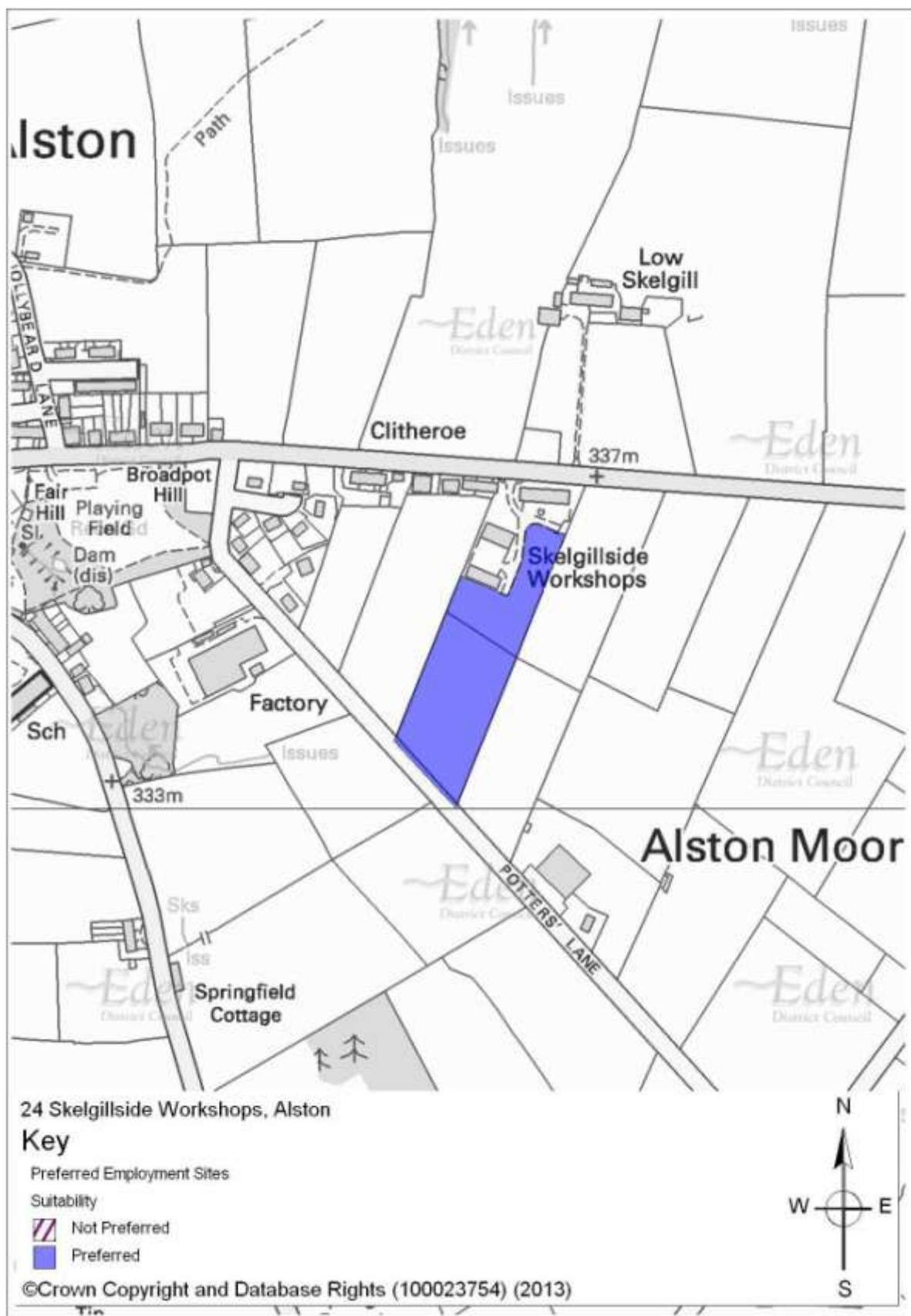






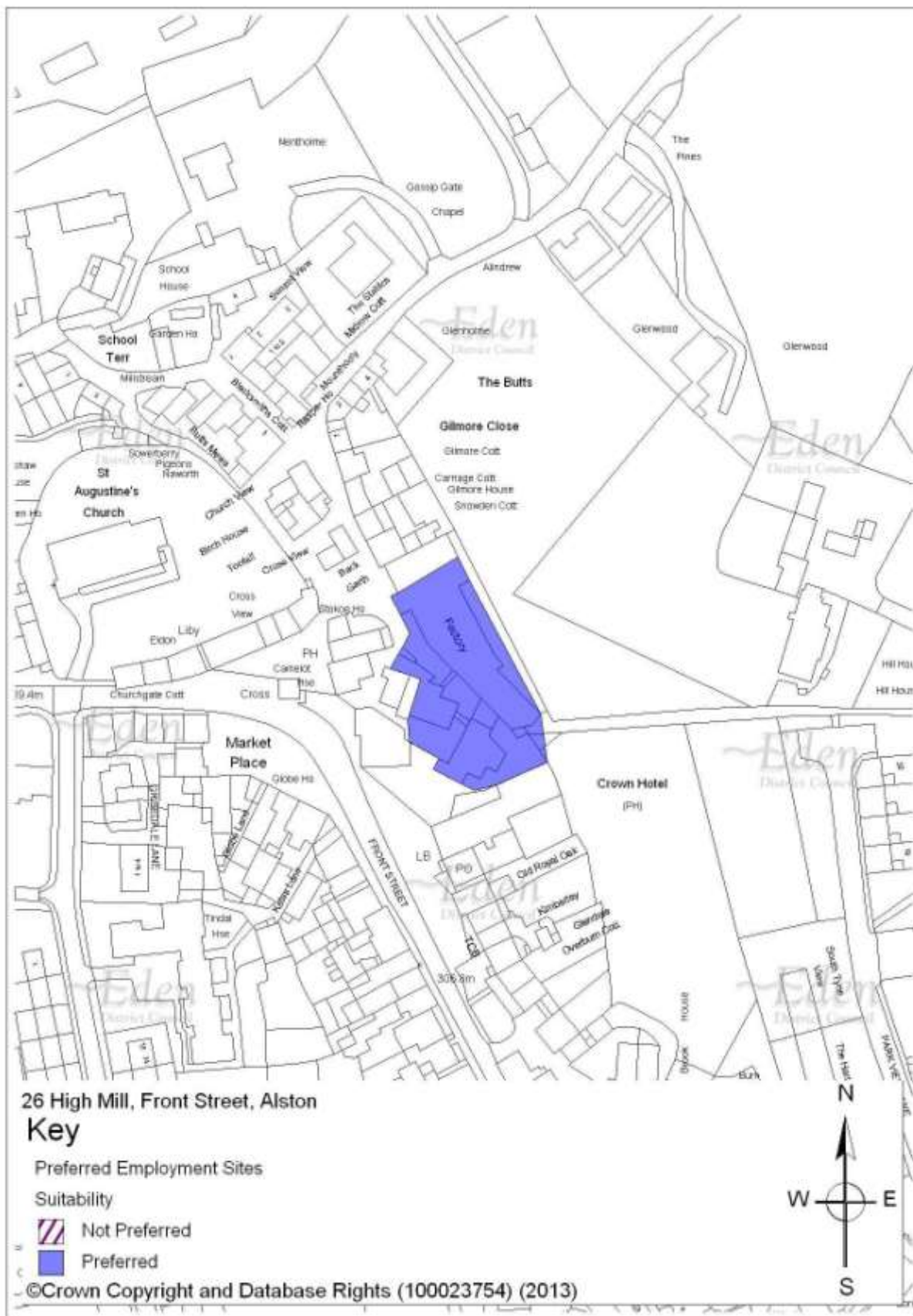


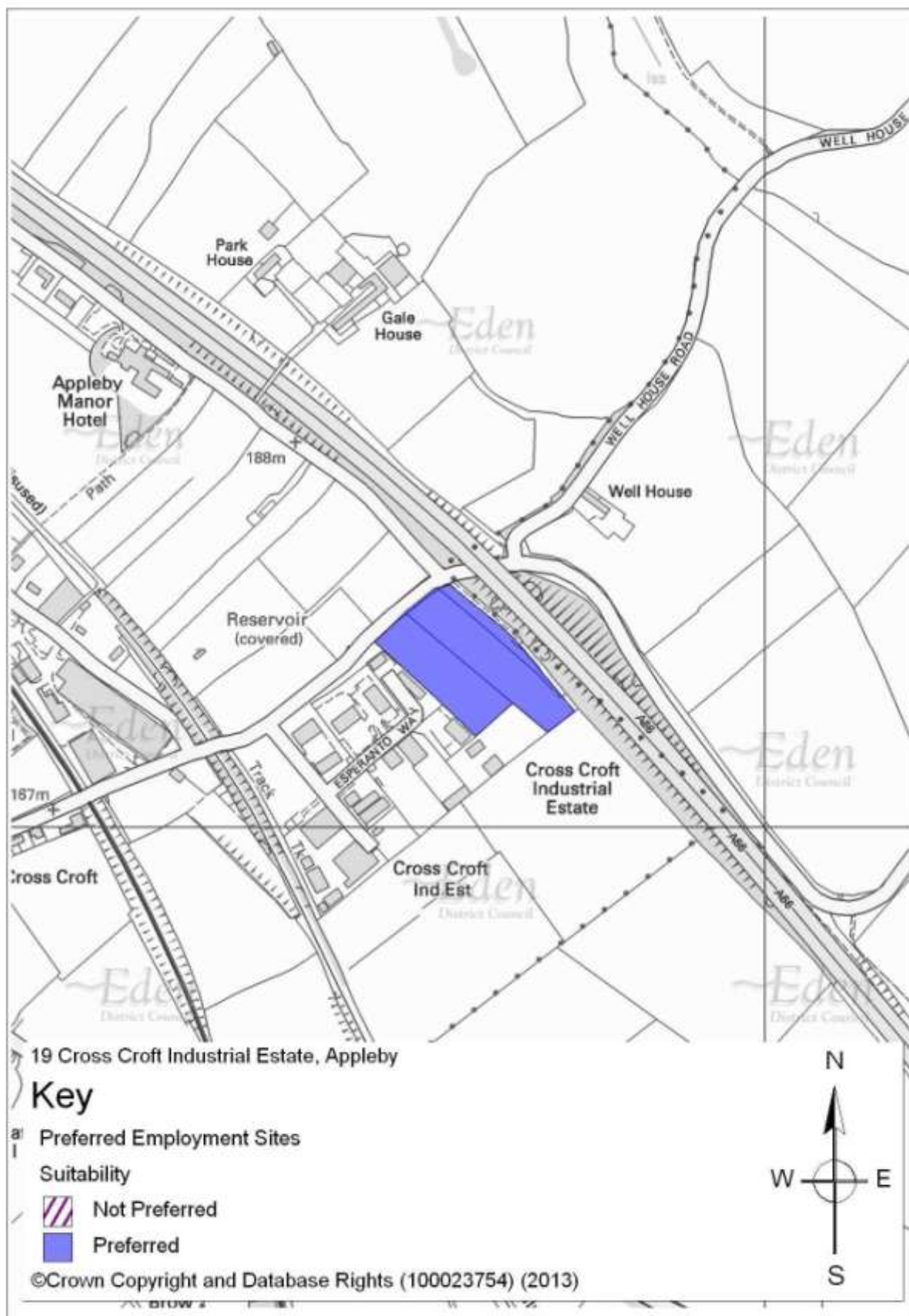




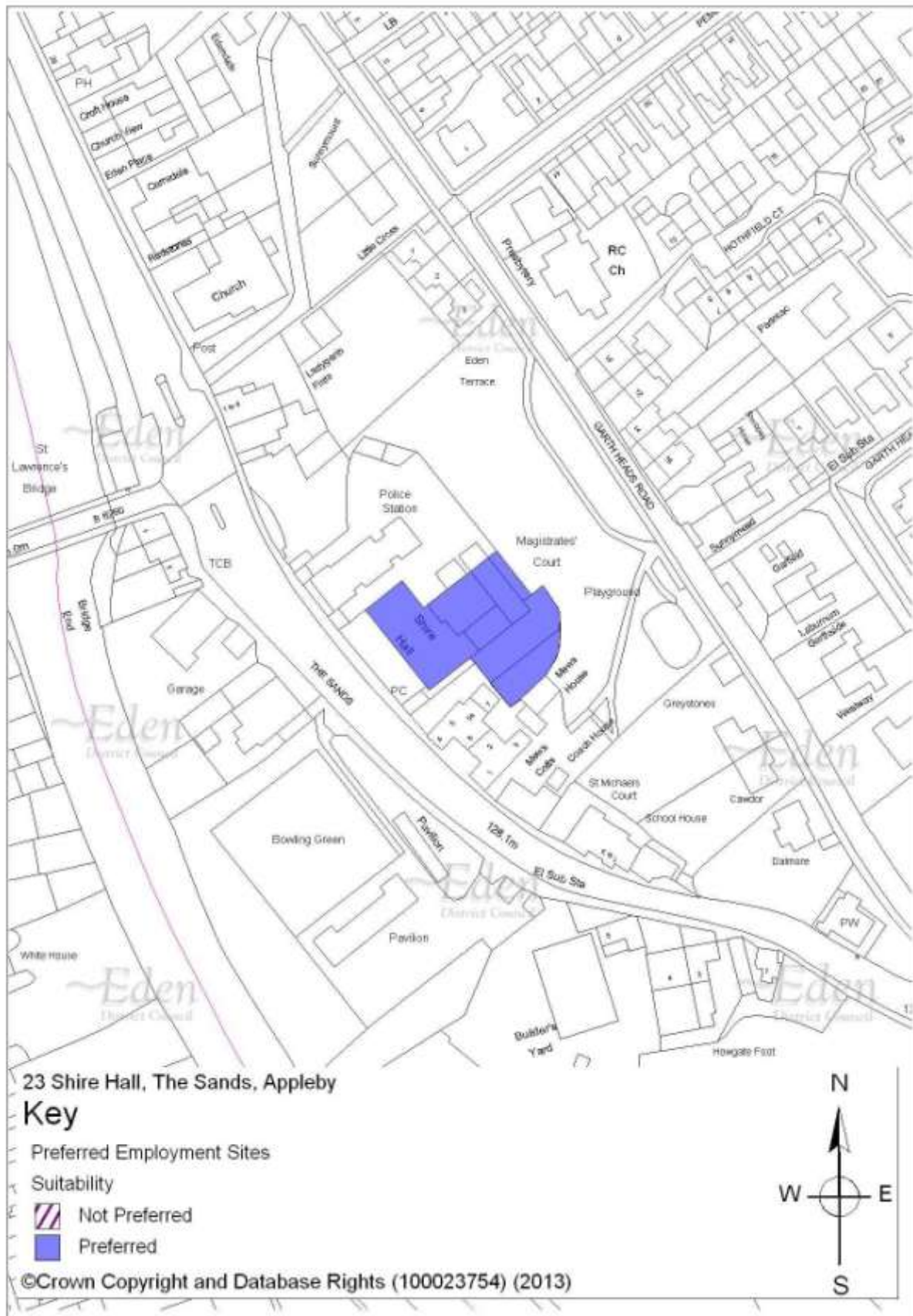


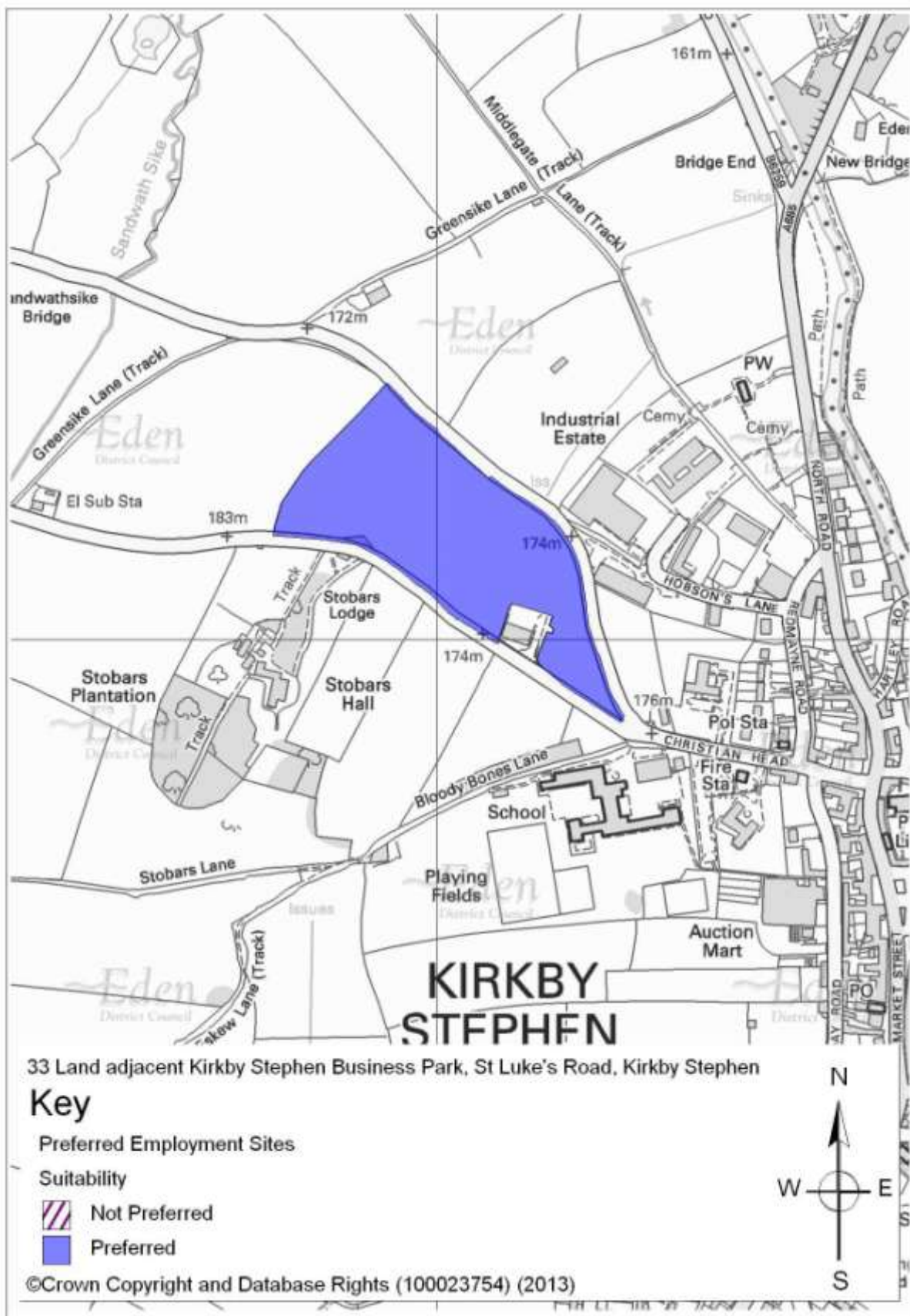




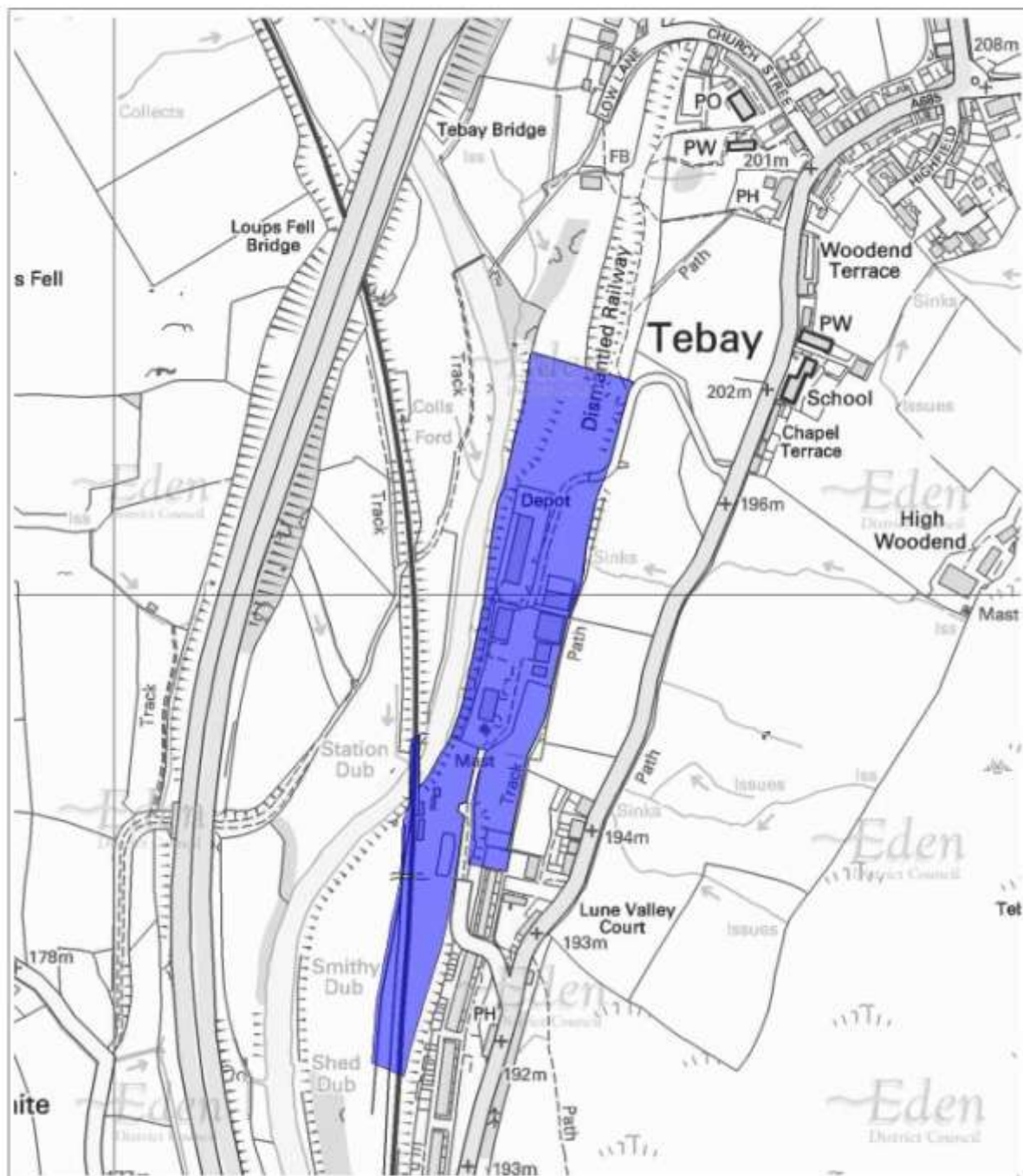














38(b) Tebay Old Railway Sidings, Tebay

## Key

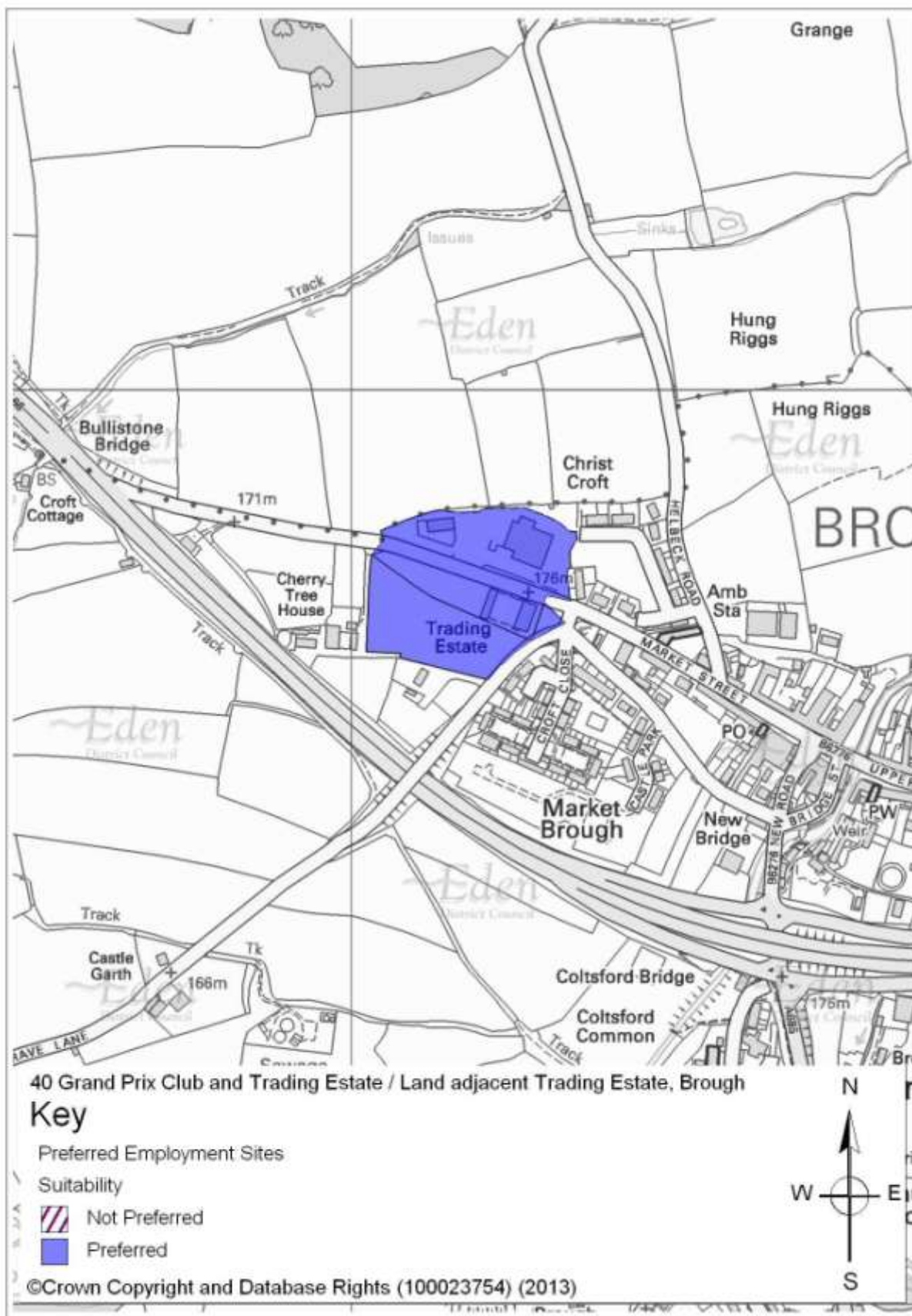
Preferred Employment Sites

Suitability

-  Not Preferred
-  Preferred

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# **Employment: Preferred Sites and Policies Consultation**

**15 July - 9 September 2013**

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## **Accessible Information:**

A summary of the information contained in this document is available upon request in different languages or formats. Contact Eden District Council's Communication Officer

Telephone: 01768 817817 Email: [communication@eden.gov.uk](mailto:communication@eden.gov.uk)

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