

1. Introduction

- 1.1 This note sets out further proposed minor changes relating to Policy CS5, as discussed during the hearing of 26th January 2011.

2. Response to the issue regarding the title of Policy CS5

- 2.1 During the hearing session, it was noted that the title of policy CS5, Supporting the Local Economy, did not relate directly to what the policy was providing for. It was suggested that a more practical title be given to the policy, such as 'The Provision of Employment Land'. The Council agreed that whilst the overall chapter, embracing the Employment and tourism and culture policies, are *supporting the local economy* and therefore relevant, the title of the policy itself should be reworded.

3. The minor change proposed

- 3.1 It is proposed that the heading at the top of the policy box '*Policy CS5: Supporting the Local Economy*' be amended to read '*Policy CS5: The Provision of land for Employment Purposes*'.

4. Clarification of the amount of employment land to be allocated as per position statement dated 17th December 2010

- 4.1 The policy quantifies that provision will be made for up to 235ha of additional land for general and mixed use employment and a further 125ha is indicated at the key employment locations of Faverdale and Heighington Lane. This gives an overall total of 360ha. Of the 235ha of land for general and mixed use employment, first and second priority sites total about 128ha. However, up to 107ha will be on suitable previously developed sites in sustainable locations within the urban area. These are referred to as "other sites" in the fourth paragraph of the Policy and will be allocated through the Accommodating Growth DPD.

5. The minor change proposed

- 5.1 To add clarity to the employment land provision, the following changes are suggested to the fourth paragraph of CS5:

"The focus of other **general and mixed use sites (up to 107ha)** contributing to the employment land supply, **throughout the plan period**, will be on suitable previously developed sites in sustainable locations within the urban area".

- 5.2 **It is also suggested that this paragraph be inserted before the third paragraph** i.e. the one, which begins: "A further 125ha of employment land....."

- (a) The effect of this proposed minor amendment would be to clarify that Policy CS5 makes provision for up to 235ha of land for general and mixed use employment and that figure is made up of first and second priority sites, plus up to 107ha of land on other sites. These sites are expected to be developed throughout the plan period. A further 125ha of employment land (making a total provision of 360ha) will be made available at the key

employment locations of Faverdale and Heighington for development complementary to that identified above.

6. Response to the issue regarding the emphasis given to the Key Employment Location of Faverdale and consequent changes to the reasoned justification.

6.1 During the hearing session it was suggested that the key employment locations of Faverdale and Heighington Lane were not given sufficient emphasis to match their special characteristics and contribution to the employment land offer in the borough. The Council indicated that they had no objection to changing the emphasis of the key employment locations by revising the wording and providing a sub-heading.

7. The minor change proposed

7.1 Further to the changes outlined in section 6 of this position statement, the paragraph currently beginning 'A further 125ha of employment land...' becomes the fourth paragraph appearing directly under the new paragraph detailed in paragraph 5.1 of this position statement. It is proposed that to accommodate the comments raised during the hearing session, a sub-heading will be inserted and revised wording inserted for paragraph four, as follows:

Key Employment Locations

125ha of land will be made available at the key employment locations of Faverdale and Heighington Lane. This land will be available at any point during the plan period, and is intended to accommodate strategic employment growth in addition to that provided for by the general employment land supply. This land is intended to meet the needs of new and emerging growth sectors, innovative or large user requirements, or other uses not provided for elsewhere in the Borough'.

7.2 As a consequence of the above changes, some changes to the reasoned justification are proposed.

7.3 At paragraph 4.1.5, to provide some positivity and emphasis to the key employment locations, to complement that information provided in the policy, after 'such as Faverdale East Business Park and Morton Palms', it is suggested 'and the Key employment locations of Faverdale and Heighington Lane' is added. The paragraph would then read:

'Established employment areas make a significant contribution to the overall land supply, accommodating existing businesses and providing opportunities for new growing businesses. However, newer sites in the outer urban area, such as Faverdale East Business Park and Morton Palms, and the key employment locations of Faverdale and Heighington Lane, provide a different type of business environment and better access to major roads. Sites capable of supporting identified sectoral needs will be allocated in sustainable locations through the Accommodating Growth Development Plan Document'.

7.4 In order to avoid confusion between the Key Employment uses and the term 'Key Growth Sectors' it is proposed that the word 'key' is removed from the beginning of the second sentence of paragraph 4.1.3 and replaced with the word 'main', the sentence would therefore read:

Main employment growth sectors were considered to be health, logistics, business and financial services, and engineering and civil engineering, with other growth sectors including creative industries and digital media, renewable energy (and recycling), chemicals, retails and tourism and leisure'.

To simplify this paragraph, it is proposed to remove '(including food)' from the end of the second sentence.

8. Response to the issue regarding the Council's position on the release of employment land for mixed uses, and consequent changes to the last paragraph of CS5.

8.1 In order to provide some clarification as to the mechanism that will be used to determine whether or not a site could be released for mixed uses, it is proposed to make changes to the last paragraph of CS5. The purpose of the last paragraph is to set out the intention to protect sites already in employment uses, through the Making Places Development Plan Document. This still remains the Council's position, however the conclusion of the hearings was that there must be some guidance in place as to the tests that would be required to be met by developers in proposing alternative uses. It is proposed that the last paragraph is deleted and is replaced with the following.

Existing viable employment sites and other sites with special attributes will be protected by safeguarding them for employment uses only or for mixed uses, where appropriate. Exceptions will be made where it can be demonstrated that:

- a. Continued use of the site for employment uses is no longer viable for appropriate employment uses, taking into account the site's characteristics and existing / potential market demand.*
- b. Continued use of the site for B1, B2 or B8 purposes gives rise to unacceptable environmental or accessibility problems; or*
- c. An alternative mix of uses offers greater potential benefits to the community in meeting local needs for business and employment, or has other regeneration benefits; **and***
- d. The site is no longer required for the purposes of providing a balanced portfolio of land for employment purposes.*

8.2 It is proposed that the reasoned justification includes reference to this mechanism for clarity. It is proposed that an additional paragraph is added at the end of the reasoned justification (after 4.1.6) as follows:

At certain points through the plan period, there may be sites within the employment land portfolio that a developer wishes to develop for a range of other uses, to include some employment land. This could be for a whole range of reasons, such as viability of developing the site for solely employment uses. The information that a developer would be expected to provide includes an analysis of the site's commercial viability, using the residual land value methodology set out in the Economic Viability of Non-Housing land in Darlington Borough (July 2010) or similar; and evidence that an appropriate period of professional marketing of the site has been undertaken for appropriate employment uses. In all cases, the Council will consider whether or not the site is needed for the purposes of retaining a balanced portfolio of land for employment purposes and whether its loss would likely compromise the ability of the borough to provide jobs and foster a competitive economy. This assessment provides the flexibility to consider individual sites at any point during the plan period, taking into account the circumstances at that point in time.

8.3 With reference to criterion d, which mentions a 'balanced portfolio of land' it is suggested that reference to a balanced portfolio is made in para 4.1.5 is amended by adding some wording to the end of the final sentence, as follows (suggested additional text underlined):

Sites capable of supporting identified specific sectoral needs will be allocated in sustainable locations through the Accommodating Growth Development Plan Document, to provide a balanced portfolio of land types to accommodate a variety of employment uses.

END