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Comment no.	KBC Response
<p>55. Chapter 5 - Employment At the consultation exhibition in Burton Latimer there was a map showing 2 large areas of new developments for warehouses shown yellow on both sides of the A509 from the A14 to Isham on the West side and to Burton Latimer Station Road on the East. The traffic implications of more HGVs using the A509 are quite unacceptable. The Isham Bypass must be built before any further land is developed along the A509 South of the A14.</p>	<p>The site referred to is allocated in the Joint Core Strategy as Policy 37 and matters relating to traffic and HGVs would have been considered as part of this process. In addition to this, an application has been subsequently refused on this site. This site is not a matter for consideration in the SSP2.</p>
<p>162. Chapter 5 - Employment We do not agree with the approach to allowing A1 uses within live / work units in any location. Traditional A1 uses are not necessarily best suited to such provision, although A1 service uses can be, as would A2 uses. B1 uses are normally the preferable use class for a live/work unit as they allow for businesses that are less locationally dependent in comparison to retail uses.</p> <p>In addition, retail uses allowed in any location under the banner of live / work would not be in accordance with town centre first policies as set out in the National Planning Policy Framework. We would therefore suggest that if retail uses are to be maintained in the policy as part of live /work unit development, wording should be introduced so that the location of A1 live work units do not conflict with other retail and town centre policies and objectives.</p>	<p>This is an error and therefore should read 'Be limited to A2 and B1 uses'.</p>
<p>238. Chapter 5 - Employment Employment land review - it is not entirely clear what this entails but definitely need to see this when it is ready and provide comments.</p>	<p>The Employment Land review will look to aid the policy formulation for jobs provision, site allocations and assessments. It will also provide an overview of market conditions and opportunities in respect of local employment provision within Kettering Borough. As well as this it will assess the future suitability of employment land and premises from a market business perspective. The sites that are being assessed as part of this study are shown in Table 5.1 of the Draft Plan document. Once</p>

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	finalised the employment land review will be published.
<p>253. Table 5.1 Section 5.17 mentions a 'Property Market Review and Assessment of Employment Sites' which is currently being undertaken. The haste in the SSP2 timetable doesn't fit with the timescale of this review. Is the plan going to be revisited once the review is complete?</p>	<p>The Draft Plan consultation is not a mandatory consultation. It is acknowledged that this consultation was undertaken prior to the publication of the final Employment Land Review document. The findings of this study will inform the pre-submission version of the Plan where it will provide more detail into the allocation of employment sites. The pre-submission consultation is mandatory.</p>
<p>254. Policy EMP01 Safeguarding Employment Land Policy EMP01 - Fully supported</p>	<p>Noted.</p>
<p>255. Policy EMP02 Live/Work Units Policy EMP02 - Fully supported - there does seem to be a self contradictory statement about the Property Classifications that should be supported on the one hand A1 & B2 uses, and on the other hand Live/Work units will not normally be permitted in close proximity to B2 and B8 class uses.</p>	<p>This is an error and therefore should read 'Be limited to A2 and B1 uses'. The statement regarding B2 and B8 class uses should now be correct.</p>
<p>345. Table 5.1 We act on behalf of the owners of the land shown coloured red and designated as a potential employment allocation off Harborough Road, Desborough.</p> <p>We write to support the allocation of this land for employment uses and confirm that the land would be made available. We are not aware of any constraints which might prevent the land for coming forward for employment development. Indeed, we have been approached by various promoters and developers of employment land, in connection with the possibility of this land being used for employment development. We are, in fact, involved in current negotiations with an important local employer, who is interested in developing employment uses on this land.</p> <p>We therefore hope that the Borough Council will confirm the allocation of this land for employment development, in due course.</p>	<p>Noted. The site has been assessed as part of the Employment Land Review, the findings of which will inform employment allocations in the pre-submission version of the draft SSP2 document. Although Kettering Borough Council will undertake their own site assessments before decisions are made as to the scale and location of any employment allocations.</p>

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<p>407. Table 5.1 Site plans were not included, therefore it was not possible to assess in relation to heritage assets. Please provide plans and Historic England would be very happy to provide a response.</p>	<p>Potential sites will be subject to assessment by Kettering Borough Council once the Employment Land Review has been completed. Both of which will inform decisions on any employment allocations. As part of the site assessment process, consultation with statutory consultees will be undertaken, where maps will be provided to enable a full assessment of the site.</p>
<p>436. Chapter 5 - Employment Section 5.18: Employment Allocations: Potential Employment Allocation R6 (Land south of A14 Junction 4) is within Flood Zones 1 and 2. The selection of this site has to be subject to the flood risk sequential test. Section 5.20: Site reference KE/184a: Land adjacent to KE/184 (McAlpine's Yard) is partly within Flood Zone 2, however the site currently has a 'less vulnerable' use on it.</p>	<p>A flood risk sequential test will be undertaken where necessary for employment allocations in due course. In relation to site KE/184, it is yet to be determined whether this site is to be maintained as employment use, or be used for residential use, or a mixture of the two. The Employment Land Review will inform the Council's decision as to a preferred use for the site. The part of the site within Flood Zone 2 will be taken into account either through development principles for a residential allocation policy or via the same means for employment use.</p>
<p>441. Policy EMP01 Safeguarding Employment Land On behalf of our client, Eskmuir Securities Limited ("Eskmuir"), Savills is instructed to make representations to the Site Specific Part 2 Local Plan ("SSP2LP") Draft Plan Consultation.</p> <p>Background</p> <p>Eskmuir is the freehold owner of Baron Avenue Trade Park within Telford Way Industrial Estate, Kettering. Baron Avenue Trade Park consists of 11 no. standalone industrial units located either side of Baron Avenue. Current occupiers include ScrewFix, Howdens Joinery and Topps Tiles. Eskmuir prides itself in active asset management, ensuring its real estate is of high quality and occupancy maximised to the benefit of local economies and communities.</p>	<p>It is recognised that there are non-B class uses present on a number of the sites identified to be safeguarded. Therefore it is intended to look into the extent to which this is the case and determine the exact uses which are currently on these sites as well as those who may reside on these sites in the future, whilst benefiting the economy in the local area by generating employment opportunities.</p> <p>Therefore, if required, Policy EMP01 will be amended to allow flexibility to allow the safeguarding of non-B class/sui generis uses on the sites included within this policy. This could also include criteria against which proposals for non-employment uses on safeguarded employment sites will be assessed in addition to Policy 22 of the JCS.</p>

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Draft Policy EMP01 (Safeguarding Employment Land)

Given the nature of Eskmuir's landholding within Kettering, these comments relate solely to Draft Policy EMP01 (Safeguarding Employment Land) however they reserve their position to comment in respect of other matters in due course.

Policy EMP01 identifies a total of 12 employment sites that will be safeguarded for Classes B1 (Business), B2 (General Industry) and B8 (Storage or Distribution) purposes. Telford Way Industrial Estate, which Baron Avenue Trade Park sits within, is one of these safeguarded employment sites. While Eskmuir does not contest the need to safeguard employment sites (this requirement is set in Policy 22 (Delivering Economic Prosperity) of the North Northamptonshire Joint Core Strategy ("JCS") (July 2016)) it does have two principal concerns with the way that Policy EMP01 is currently drafted.

The Definition of Employment Uses

As drafted, Policy EMP01 states that the 12 designated employment sites will be safeguarded for uses within Classes B1, B2 and B8. While it is accepted these are the typical and most common employment uses this narrow definition has the unintended consequence of excluding other significant employment generating uses that fall outside of the three identified B Classes. Eskmuir suggest there is a genuine need for the wording of the policy to recognise other uses can generate significant levels of employment and therefore would similarly contribute towards the objectives of the JCS and SSP2LP. Other uses that fall outside of Class B but still generate significant levels of employment may include, but should not be limited to, those falling within Class D2 (such as gymnasiums or

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indoor recreation) and sui generis uses such as training facilities, waste management, builders' yards, tyre fitting, cash and carry warehouses, postal sorting offices or telecommunications centres.

The London Borough of Lambeth's Local Plan (September 2015) is incredibly effective in its approach to such uses, calling them "Employment-generating sui generis uses" and stating that such uses will in themselves be protected but will also be acceptable in safeguarded employment areas (known in Lambeth as Key Industrial and Business Areas). Eskmuir suggest that a similar approach be taken in the SSP2LP and to this end suggest that Policy EMP01 be amended to read:

"The following employment areas, identified on the proposals map, will be safeguarded for B1 (Business), B2 (General Industry), and B8 (Storage or Distribution) purposes and other employment generating uses: ..."

To provide additional clarity, a paragraph could be added in the policy subtext that provides some examples or criteria of acceptable employment generating uses and recognises the jobs that they create and their contribution to the economy. Given the nature of sui generis uses, it is essential that this paragraph is worded in a way which does not appear exhaustive so as to not exclude other sui generis uses not listed.

The Alternative Use of Safeguarded Employment Land

The Ministry of Housing, Communities and Local Government published the second edition of the National Planning Policy Framework in July 2018. Paragraph 81d states that planning policies should:

"...be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic

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circumstances.”

Central to this approach is a recognition that to respond to changes in working practices and economic circumstances there is a need for planning policies to contain a degree of flexibility to alternative uses. Policy 22 of the JCS, which sets out the strategic employment strategy for North Northamptonshire, does this in part by stating that:

“Safeguarding existing and committed employment sites for employment use unless it can be demonstrated by an applicant that there is no reasonable prospect of the site being used for that purpose and that an alternative use would:

- Not be detrimental to the mix of uses within a Sustainable Urban Extension; and/ or*
- Resolve existing conflicts between land uses;”*

Whilst the wording of Policy 22 is helpful in providing some guidance in terms of how proposals for the alternative use of safeguarded employment sites will be considered, Eskmuir suggest that there is a need for Policy EMP01 to expand upon this and provide criteria against which proposals for non-employment uses (as may be defined above) on safeguarded employment sites will be assessed. Such criteria could include marketing evidence, viability, suitability of the land/building in question and assessment on supply of employment land across the Borough. The introduction of such criteria would enable alternative uses to come forward where there is no reasonable prospect of a site being used for employment uses (as it may be defined) subject to other policies within the development plan. These criteria would enable applications for alternative uses of land or buildings to be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities. A failure to introduce such criteria could have the unintended

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consequences of the long-term vacancy of sites allocated for employment use where there is no reasonable prospect of a site being used for such purposes to the detriment of the local economy.

Conclusion

These representations are submitted on behalf of Eskmuir as freehold owners of the Baron Avenue Trade Park which forms part of the Telford Way Industrial Estate, Kettering. The comments are made specifically in relation to Policy EMP01. While Eskmuir do not contest the need for suitable protection and safeguarding of employment sites, it is suggested there is a need to take a wider definition of employment uses to include uses that fall outside of Class B but nonetheless provide significant employment opportunities and would otherwise be acceptable in such locations. The policy also needs to be amended to include sufficient flexibility for alternative uses to be considered where specific criteria are met.

I trust these observations and comments are helpful and will be taken into consideration. Should any of the points raised within these representations need clarification please do not hesitate to contact me. Finally, I would be grateful if you could keep me informed of any future consultation exercises relating to the SSP2LP.

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The Boughton Estate notes that the Council is currently assessing potential employment allocations and that this assessment will be completed prior to the Pre-submission consultation on the draft plan. The Estate therefore reserves the right to comment on this aspect in greater detail at a later date.

The NPPF seeks to support a prosperous rural economy and confirms that planning policies should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing

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buildings and well-designed new buildings (NPPF paragraph 83a refers).
The use of sites that are physically well-related to existing settlements
should be encouraged where suitable opportunities exist (NPPF paragraph
84 refers).

In this context, the Estate supports the allocation of Geddington South West
(RA/10), which is within its control, for employment use.