

Stroud Local Plan Review Examination: Statement of Response to Matter 8 (Employment)

Former Orchestra Works, Walk Mill Lane, Kingswood.

On behalf of Quinque Stella Holdings Ltd.

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1. Introduction

- 1.1. This Hearing Statement is prepared by Pegasus Group on behalf of Quinque Stella Holdings Ltd. It responds to the Inspector's Matters, Issues and Questions published in respect of the forthcoming Examination of the Stroud Local Plan Review.
- 1.2. Pegasus Group previously submitted representations to the Pre-Submission Draft Plan (Regulation 19) in summer 2021. This statement is not intended to be repetitious of the earlier submission, but rather respond directly to the Matters, Issues and Questions set out by the Inspectors for the examination hearings.
- 1.3. Specifically, it responds to **Matter 8 Employment Provision** and within that matter addresses:
 - a) **Employment Land Supply**; and
 - b) **Regenerating Existing Employment Sites Policy EI2 (Q7)**.
- 1.4. Two paper copies of this statement are provided to the Programme Officer as required.
- 1.5. **Our view is that the requirement of policy EI2 to regenerate the site for (at least some) employment use is unnecessarily and unjustifiably restrictive, and changes should be made to the wording of the policy to facilitate alternative development.**

2. Former Orchestra Works Site

- 2.1. The site is known as the Former Orchestra Works, Walk Mill Lane, Kingswood. The site is proposed in the Local Plan Review as an Existing Employment Site (for regeneration) under delivery policy EI2.
- 2.2. The site comprises a number of industrial buildings, formerly leased to a printing works business where it operated for a number of years. The buildings are of concrete frame construction under asbestos roofs. Internally, the buildings are mainly open plan and single storey, providing workspace of approximately 37,500ft². There is also a traditional building on site which is understood to have been a former pub although this is now in serious structural disrepair. The site compares unfavourably with modern commercial units which are spatially more advantageous and easily accessible, being situated on trunk roads or near to the motorway network.
- 2.3. In mid-2020 the tenant served noticed and ceased business on the site. Marketing efforts¹ to re-let the site for employment use began thereafter but have not been successful due to the poor condition of the accommodation, limited scope for expansion and undesirable location.
- 2.4. The conclusions of the Marketing Report (January 2022) are as follows:

6.0 CONCLUSION

- 6.1 It is evident that the commercial viability of Walk Mills has not met the demands now expected in the modern commercial market. From the 7 viewings held on the property, we ascertained collective feedback which provides us with the following opinions.
 - 6.1.1 The property is in a heavily residential area, which is not sympathetic to heavy industrial usage and or noise levels expected of an industrial property.
 - 6.1.2 The properties access is reasonable with large entrance gates, however unit approach from Walk Mill Lane is narrow with large amounts of on street parking. Making large industrial vehicle movements difficult and inefficient.
 - 6.1.3 The properties condition has deteriorated over time and the unit's construction would not be compliant to the Minimum Energy Efficiency Standards. It was common feedback from interested parties that, an incoming tenant or the landlord would be required to invest a considerable sum into the property in order to make it compliant for requirements now and in 5 years' time with further restraints being put into place on commercial property energy performance.
 - 6.1.4 Access into the unit is poor and even though the building has a large total square footage, the traditional layout does not make for practical for storage of large items. Such as cars or palleted stock.
- 6.2 The unit was launched into a competitive industrial market back in the first initial post lockdown surge. Larger industrial units were widely available due to a lack of interest circa 2019 and early stages of 2020. Large stock levels meant competition between units in order to achieve a Tenant. Walk Mills was in comparison to other similar sized units within a 10-mile radius, heavily deteriorated, poorly located for transportation, low level connectivity and unsustainable. It was due to these main points as a result the property remains unlet and was deemed unsuitable by the small level of interest parties.

¹ Marketing was undertaken by DJ&P Newland Rennie from August 2020 to January 2022, which included via agency portals and local press. 7 enquiries were received but all found the premises to be unsuitable following site inspection.



- 2.5. These findings are reflected in the Stroud District Employment Land Review (ELR) which indicates that the site is essentially no longer suitable for business uses and should be considered for alternative uses, especially if it falls into long-term vacancy.
- 2.6. The site is however suitable and available for demolition and redevelopment for *other* uses, including residential, which we suggest should not be constrained by the provisions of the proposed policy E12.
- 2.7. Indeed, developer Newland Homes has an interest in the site with a conditional offer to purchase the land subject to planning. It has lodged a planning application (ref. S.22/2473/FUL) on the site which is currently under consideration for:

“Demolition of Orchestra Works and Associated Buildings, and development of no.32 new Zero Carbon dwellings, access from Walk Mill Lane, highways, open space, landscaping, drainage, and associated infrastructure.”
- 2.8. The site currently remains vacant with no interest for employment uses following a thorough marketing exercise. Our representations seek an amendment to the proposed policy to ensure the site does not continue to remain vacant, in which state it would serve no function and have a negative impact on the visual quality of the area.

3. Employment Land Need and Supply

3.1. The approach to calculating the employment land need for the plan period is set out on page 37 of the Plan. The starting point is the employment requirement (D), derived from the Economic Needs Assessment (ENA) study, which is then adjusted to take account of existing commitments and predicted losses (based on historic evidence).

Calculating our residual employment requirement up to 2040 ▼			
Supply	A	Commitments, at April 2020 (on sites with permission / under construction)	52.1 ha
	B	Potential losses from 'B' uses, (average 2.03 ha lost per year since 2006 x 20)	40.6 ha
	C	Total commitments net of potential losses (= A - B)	11.5 ha
Requirement	D	Employment requirement for 1 April 2020 to 31 March 2040	62.4 – 71.8 ha
	H	Minimum residual employment requirement to 2040 (= D - C)	50.9 – 60.3 ha

- 3.2. The residual requirement of 50.9–60.3ha is to be met, and exceeded, through the strategic site allocations (Policy CP2) as set out on page 40 which are to provide 79ha of new employment land.
- 3.3. Paragraph 4.1 of the Employment Topic Paper identifies the rationale for allocating some 18ha more employment land than the residual need. It states, 'additional supply, above need levels, provides a buffer to allow for further losses of employment land, to other uses, to 2040'.
- 3.4. This effectively means that predicted losses of employment land are double-counted; once, in reaching the residual requirement in the table above, and twice, in then over-providing against it.
- 3.5. This results in a sizeable buffer to employment land delivery with opportunity for losses, without undermining a sufficient supply.
- 3.6. This means that employment sites outside of those covered by policy CP2 are **not** relied on, let alone critical, to maintaining a sufficient employment land supply. This includes those sites identified by policy EI2.

4. Regenerating existing employment sites – Delivery Policy EI2

4.1. The Former Orchestra Works site is currently protected under the adopted Local Plan by policy EI1 which designates it as a ‘Key Employment Site’. This means that under normal circumstances a change of use or redevelopment for alternative (non-employment) uses will not be permitted.

4.2. Under the Local Plan Review, it is proposed that the site is instead allocated under Policy EI2 which states:

“Regeneration of existing employment land listed below will be permitted for mixed-use development, including employment-generating uses and housing, provided that there are demonstrable environmental and/or conservation benefits. Site rationalisation should provide at least the same employment opportunities for the local community as existed when the employment space was previously used, subject to viability and site-specific circumstances.”

Question 7a. Is it clear how the list of sites has been determined and is it justified?

4.3. No.

4.4. Policy EI2 clearly recognises that since the adoption of policy EI1, this (and other) site(s) have now become vacant/ceased to operate as employment use.

4.5. Whilst the provisions of the policy accordingly allow for increased flexibility in the redevelopment opportunities for the sites (i.e. provision of some non-employment uses) which we welcome, fundamentally the policy is still concerned with reinstating the same degree of employment ‘opportunities’ as previously existed on the site.

4.6. Seeking to promote job generation locally appears to be a desirable socio-economic objective. However, for the reason set out in section 2 above, the sites identified are not required to continue in employment use in order to meet an identified employment land supply, and in the case of the Former Orchestra Works site its impracticality for such use is self-evident.

4.7. Therefore, for the provisions of the policy to require that at least some employment or mixed-used element is re-provided, serves to artificially restrict the development potential of the site where there is not a need for additional employment land and where other uses may be more valuable to meet Local Plan objectives/needs².

4.8. In the case of the Former Orchestra Works site, the Employment Land Review (p.133) states:

² For example, we have set out the potential of the site for meeting housing needs in previous representations, explaining why it is sequentially preferable to the proposed allocation PS38 South of Wickwar Road.

“Kingswood Orchestra Works scored the lowest out of all the Employment Areas with a score of 30. This site is located on the edge of Kingswood settlement with accessibility limited to narrow, residential roads and therefore no prominence. Situated in a poor-quality estate, with few occupiers to attract more businesses, the site has several constraints and no critical mass. Additionally there are no growth prospects without development on greenfield land/ outside of Kingswood settlement boundary. This isolated site is unlikely to be attractive to modern businesses and a broader range of uses could be considered here, subject to Local Plan policies.”

4.9. It goes on to conclude “Assuming the site is still occupied by businesses then Protect in the Local Plan. If this is not the case, then due to limited local value and constrained access, site could be considered for other uses.”

4.10. Given that –

- there is no residual need for employment land;
 - the Council’s evidence recognises that the site may well be unsuitable for employment use; and
 - marketing efforts have demonstrated that there is no interest for its use/redevelopment for employment purposes;
- the application of policy EI2 unnecessary constrains the development of the site.

4.11. This risks the site sitting vacant indefinitely, which is contrary to the thrust of the Framework to promote the use of brownfield land and specifically paragraph 120c which sets out that policy-making and decision-taking should “give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs”.

4.12. By contrast, there are a number of strategic sites identified in the Employment Land Review as part of a “realistic” supply (contributing to a total supply of 105.14ha) which are not, but could, if required, be carried forward to policy CP2 as employment allocations.

Question 7b. What is the reason for including the caveat ‘provided that there are demonstrable environmental and/or conservation benefits’ and is this justified and effective?

4.13. The Former Orchestra Works site is located outside but adjacent to the settlement boundary for Kingswood and is therefore regarded as ‘Countryside’ for the purposes of the application of the spatial strategy. Policy EI2 allocates this countryside site subject to the above caveat.

4.14. By comparison, other policies within the Local Plan which allocate land for development (employment and/or housing) within the Countryside, are not subject to any caveats, but instead applications for these sites would be assessed against the relevant environmental development management policies (landscape impact, heritage, ecology and so on) as is common practice.

4.15. Broadly, the relevant development management policies and the relevant Framework policies establish a threshold for development to avoid/limit harms and to protect or

enhance, rather than requiring benefits per se (albeit these would be acknowledged in any planning balance).

- 4.16. The setting of a higher threshold for the EI2 allocations is not explained or justified and should be removed from the policy wording.

Question 7c. The policy seeks the provision of at least the same employment opportunities as existed when the employment site was previously used. Whilst this is subject to viability and site-specific circumstances, how would a decision-maker determine what the previous level of employment opportunities were and the circumstances when this would not apply? Is this approach justified and effective? Is it consistent with national policy, particularly paragraph 82 of the Framework?

- 4.17. Clearly, the policy wording is (problematically) ambiguous.
- 4.18. A quantitative interpretation of employment 'opportunities' could relate to quantum of jobs or perhaps more easily measurable, the quantum of floor space (the latter being the measure used to assess need and requirement in the Local Plan Review). As we have set out above, there is no residual need in the Local Plan for employment floorspace.
- 4.19. A qualitative interpretation of the employment 'opportunities', especially recognising the influence of COVID-19, may involve the capacity for home-working or co-working through the provision of home offices, flexible units, fast broadband and so on where employment can be enabled rather than jobs 'created' per se.
- 4.20. This approach is championed in paragraph 82d) of the Framework which requires policies to be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices and to enable a rapid response to changes in economic circumstances.
- 4.21. Broadly, there is an increasing shift towards the provision of office and light-industrial accommodation in established locations with good transport links and clustering with other businesses in sustainable locations. Working-from-home is now common practice in many organisations, with the demand for physical premises reducing and the demand for home offices etc. increasing. As such, a lot of economic activity may be 'hidden' as it does not necessarily have a spatial requirement associated with it.
- 4.22. This makes the comparison of 'opportunities' very difficult and very subjective, which does not provide sufficient certainty to developers.
- 4.23. Fundamentally however, we disagree with the imposition of a 'like-for-like' provision requirement, *regardless* of how the level of opportunities is being assessed given the absence of any unmet need. In our view, it is more important that the site is used effectively and efficiently in accordance with chapter 11 of the Framework, specifically paragraphs 120c), 124 and 125.
- 4.24. Accordingly, we request that this provision be removed from the policy wording entirely.

Question 7d. Would the policy wording modifications, as suggested by representors, ensure the policy was effective and consistent with national policy or would other changes be necessary to achieve this?

- 4.25. As set out above, it is critical that the policy wording allows the regeneration of the site in an efficient and sustainable manner. The policy should serve to safeguard the land for all appropriate viable uses, instead of artificially restricting its use class when there is no demonstrable need.
- 4.26. This allows for the flexible approach enshrined in the Framework which facilitates the ability of the market to develop in accordance with local demand.
- 4.27. The development management policies within the Development Plan and Framework provide a robust mechanism to filter development which would have unacceptable environmental impacts and therefore additional caveats in relation to additional benefits are unnecessary and unjustified.
- 4.28. We propose the following revised wording for the policy:

“Regeneration of existing employment land listed below will be permitted for redevelopment, including employment-generating uses, mixed-use development and housing provided it is consistent with the other Local Plan policies. Proposals should demonstrate an efficient use of brownfield land consistent with the Framework.”

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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