

Matter 3: The Economy and Regeneration

Main Issue - Whether the Local Plan would proactively drive and support sustainable economic development.

a) Does the Local Plan set out a clear economic vision and strategy for the area which proactively encourages sustainable economic growth? Is the strategy realistic as well as aspirational?

Further justification and explanation of the economic vision and strategy can be found in Section 2 of the 'Delivering a Sustainable Economy Position Statement' (CD027).

The economic vision and strategy is set out through a combination of Core Principle (CP) and Areas of Change (AC) policies. Policy CP9 reflects the Council's economic aspirations, as set out in its own Economic Strategy (EB078) and reflects the vision of the D2N2 Strategic Economic Plan (EB080). CP9 provides the overarching objective based policy that identifies the key economic objectives that the Council want to see achieved, either through direct intervention by the Council itself or through development proposals. CP9 is clear that Derby is 'open for business' and that the Council is not only supportive (in principle) of economic development proposals, but is pro-actively driving growth. However, CP9 only seeks to set the strategic context against which proposals for economic development should be assessed.

The key way in which the plan can assist with pro-actively driving forward economic development is to ensure that sufficient land of an appropriate quality and in appropriate locations is allocated to meet future needs. Policy CP10 identifies the extent of the 'new' supply, in terms of strategic sites / broad locations. The Policy makes provision for 199ha of new employment land (gross) which is well in excess of the objectively assessed need (see response to matter 3b, below).

CP10 also recognises that the Council will support the retention, intensification and consolidation of existing employment land and identifies a number of areas where their employment function is fundamental to the operation of the local economy. The Policy makes provision for the review of existing employment land and the potential allocation of additional non-strategic sites in the Part 2 plan to meet needs if necessary (see paragraph 5.10.13). The Policy also acknowledges that there are certain circumstances that justify the release of existing employment land and identifies criteria for assessing such proposals. Again, the strategy in relation to employment land is clear and makes provision for even the most optimistic employment land need forecasts.

In terms of the strategic employment sites, each one has a dedicated policy providing the development industry with a clear indication of what the Council expects to be delivered. Two of the strategic employment sites are already under construction (Derby Commercial Park and Infinity Park), while at the Derwent Triangle a developer has submitted a comprehensive planning application for employment led development. A number of small scale office schemes have been successfully delivered in the Central Business District (CBD), as part of the Council's 'Connect Derby' project, while the Council continues to pursue opportunities to utilise its Regeneration Fund to assist with the delivery of larger scale office schemes that remain extant. The Council is therefore confident that the economic development strategy is not only aspirational but also realistic and ultimately deliverable.

b) Have the objectively assessed needs for economic development in terms of land or floorspace been appropriately identified and justified?

A more detailed explanation and justification relating to the assessment and identification of employment land needs is set out in the 'Delivering a Sustainable Economy' Position Statement (CD027), notably paragraphs 3.19-3.41. A summary of this is provided below.

As acknowledged in the NPPG, there are a number of different forecast techniques that can be utilised to assess objectively assessed needs for employment land. The merits of each technique were considered by the Council and HMA partners and it was agreed that the Labour Supply, Policy-On (LSPO) approach provides the most logical outcome in the context of the Derby HMA and the most bespoke forecast, taking account of local factors.

Following agreement on the most robust forecast methodology, a number of different distribution strategies were considered. Options included distributing the HMA requirement in proportion to past take up, in proportion to existing employment stock and in line with the housing growth distribution strategy. HMA partners agreed that there are clear sustainability benefits in aligning the distribution of new employment land with the provision of new housing. This approach seeks to ensure that people living within the Derby Urban Area (DUA) will have the opportunity to engage in the local economy, potentially helping to reduce longer distance commuting. Derby is the economic driver within the HMA and therefore it is logical that the provision of new employment continues to be focussed on the DUA – particularly in light of the scale of supply that is considered suitable and available in the DUA and the proximity to existing large employers.

The LSPO methodology distributed in line with the housing strategy is therefore considered to provide the most appropriate forecast of objectively assessed needs for employment land across the DUA and wider HMA.

c) Does the Local Plan assist in providing a supply of land for economic development that is sufficient and suitable to meet the identified needs?

Further information and justification relating to the sufficiency and suitability of the proposed DUA employment land supply is set out in the 'Delivering a Sustainable Economy' Position Statement (CD027), notably paragraphs 3.42-3.56. A summary of this is provided below.

The LSPO methodology for calculating needs, distributed in line with housing growth in the DUA provides a DUA need requirement of in the region of 150.5ha for the Plan period 2011-2028. The gross supply figure (at 2011), as set out in Table 4 of CD027, indicates a supply of 199ha, made up of strategic employment sites, mixed use allocations and 'saved' allocations to be reviewed in the Local Plan Part 2. The gross supply is in excess of the indicative need figure suggested by the LSPO forecast and significantly greater than the outcome of other forecast techniques, including any analysis of annual take-up rates.

Once an allowance for the provision of significant infrastructure is deducted from the gross supply, the net supply within the City is closer to 128 ha, which is slightly below the level of need suggested by the agreed forecast methodology for the DUA. An under provision of some 22.5ha is not considered to be a significant constraint on future development as the forecast level of need is

heavily reliant upon the provision of a flexibility margin (29%) and the replacement of known losses (36%) from the existing supply. In fact, only 35% of the HMA requirement (derived from the LSPO, DUA distribution forecast) is actually derived from anticipated job growth. In order to ensure that the DUA is not under supplied and that sufficient choice and flexibility is provided to the market, a further 30ha (gross) has been identified by South Derbyshire District Council (SDDC) as a strategic extension to the employment site, to the south of Wilmore Road (AC15). The inclusion of this land increases the net supply to in the region of 150ha, which is consistent with the agreed DUA need figure. The Local Plan Part 2 will also provide an opportunity to identify additional non-strategic employment land that could contribute to the overall DUA supply if considered necessary (this is the same approach as adopted for housing). The DUA supply is therefore considered sufficient and to be the optimum strategy for securing economic growth in the DUA.

In terms of suitability, the DUA allocation strategy provides a range of sites that are suitable to accommodate job growth in a range of sectors that are likely see significant job growth in the Plan period. For example the CBD will be the focus for office based employment, while Infinity Park and land south of Wilmore Road will be a focus for hi-tech R&D and manufacturing, Derby Commercial Park will focus on distribution and warehousing and the Derwent Triangle will provide for a mix of employment generating uses. Consultation, including feedback from the market has highlighted a general level of support for the DUA allocation strategy. The Council is therefore confident that all needs can be accommodated by the strategy.

d) Is the supply of employment land consistent with the amount of housing development proposed in the City or housing market area?

As explained at Paragraphs 3.29-3.32 of CD027, the LSPO, DUA distribution approach to forecasting future needs ensures that the calculation of needs takes account of not only the amount of new housing development to be provided in the DUA and wider HMA, but also the general distribution, notably the focus on the DUA. The employment land strategy for the DUA seeks to meet the level of need suggested by the LSPO, DUA distribution approach by identifying a gross supply in excess of the forecast level of need. Even once an allowance for major infrastructure provision is deducted, the DUA supply, taking account of the identified land in South Derbyshire, is in general conformity with the level of need suggested by the LSPO forecast.

e) Is the approach to the protection or release for redevelopment/change of use of existing employment land in Policy CP10 consistent with national policy?

It is logical and sustainable for the Council to attempt to protect important areas of existing employment land to ensure that there is an adequate supply of suitable land to meet future needs. Without such measures there is a risk that Derby will be undersupplied and / or the future use and function of important employment areas will be prejudiced, by alternative uses, due to a change in character. This could be detrimental in terms attracting new investment and the ability of the city to create new jobs. It could also lead to more unsustainable travel patterns as job creating uses are increasingly forced into more peripheral locations due to a lack of land supply.

Paragraph 19 of the NPPF is clear that the planning system should encourage sustainable economic growth and not act as an impediment. Paragraph 20 then goes on to state that the LPAs should plan

to proactively meet development needs of business. While these elements of the NPPF clearly support the principle of protecting areas of existing employment land, Paragraph 20 is also clear that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of the site being used for that purpose. Therefore, it is clear that a balance needs to be struck between maintaining an appropriate employment land supply and not protecting land indefinitely. Policy CP10 seeks to strike this balance and provides criteria against which proposals for loss of employment land can be assessed against, including whether or not the land or buildings meet the economic needs of the city and remains 'fit for purpose'. Even in those areas that the Council has identified as being of particular importance to the supply, the policy still allows for its 'loss' in certain circumstances. While the 'bar' is set somewhat higher for these areas, the policy is still cognisant of national policy and the Government's attitude toward employment land.

As with all of the policies in the Plan, the criteria set out in CP10 need to be read in the context of national policy, relevant ministerial statements and legislation. For example, recent changes to permitted development rights mean that a number of employment uses (B1a and B8) can be converted to residential via the prior approval mechanism. This means that the principle of losing office space has been established without the need to assess a proposal against CP10. In addition to this, recent announcements by the Government have set out the intention to ensure that at least 90% of 'suitable' brownfield land has outline planning permission for residential development by 2020. This is expected to be done through the use of Local Development Orders (LDOs). The Government has also introduced the possibility of a 'zoning' approach, in order to grant automatic planning permission for residential development on brownfield land (Housing and Planning Bill).

Both of the new approaches set out by Government may result in proposals being able to circumvent the need to demonstrate compliance with CP10, meaning that employment land could be lost without any assessment of impacts on the employment land supply or wider economy. Such proposals will be considered outside of the development management process and therefore CP10 cannot conflict with the Government's intentions in this regard. In fact, it can be argued that the need for the Council to operate controls on the loss of employment land to alternative uses other than residential is actually enhanced by the Government's policies. It may become increasingly important to have mechanisms in place to protect those areas which are fundamental to the operation of the local economy where it can. Therefore, the approach set out in CP10 is considered consistent with national policy.

f) Are the Local Plan employment policies sufficiently flexible that they could accommodate needs not anticipated in the plan?

As noted in relation to Matter 3c, nearly a third of the overall forecast level of need is made up of the provision of a flexibility margin to provide the market with choice and churn. Around another third is derived from the replacement of known losses from the existing supply, while the remaining third is actually derived from job growth assumptions. This provides a significant 'buffer' to help accommodate any unforeseen needs occurring though the Plan period. The fact that a significant

proportion of anticipated job growth is expected to occur in less land intensive sectors (i.e. office) also creates additional 'head room' in the supply, which in turn provides additional flexibility.

Equally, the main strategic sites are all of a scale that could accommodate significant new investment opportunities that have not been identified specifically in the assessment of 'need' and all of the strategic site policies make provision for the assessment of proposals falling outside of the 'B' use class. Therefore, in principle they do not completely restrict the accommodation of unforeseen needs for alternative uses such as leisure. The identification of additional land in South Derbyshire providing a strategic extension to site AC15 within Derby, ensures that the DUA has an ample supply of land to be developed during the plan period, including a significant margin of flexibility both in terms of the scale and type of development that may come forward.

g) Does the Local Plan make appropriate provision for office development?

Paragraphs 4.1-4.29 of CD027 provide further information and justification in relation to the Council's approach to office development. Policy CP11 identifies the Central Business District (CBD) as the preferred location for the development of offices (B1a) and office based vocational training establishments (D1). While not specifically allocating sites for office development within the CBD, Policy AC2 identifies a number of regeneration sites within the CBD that could accommodate office development. It is intended that the Part 2 Plan will specifically allocate sites within the CBD.

Paragraph 4.21 of CD027 acknowledges that at the time of writing, based on the level of extant and lapsed permissions within the CBD, it is estimated that that the area could potentially accommodate in excess of 100,000sqm. The potential supply figure has been eroded more recently through the loss of the first phase of the Friar Gate Square complex to Derby University (D1) and the second phase of this scheme potentially being used for student accommodation, while a site on Cathedral Road is also being built out for student accommodation. However, the extent of potential supply within the CBD alone continues to be in excess of the net B1 a/b requirement (40,000sqm) indicated by the LSPO forecast.

While the CBD is the clear priority for new office development, the Council recognises that not all forms of office development can be easily accommodated within a City Centre environment. CP11 therefore provides flexibility to consider alternative options outside of the CBD. Office development will be permitted on strategic employment sites, subject to the provisions of CP11 which seeks to ensure that options in the CBD are at least considered in the first instance. The focus on the CBD, but with in-built flexibility to allow office development elsewhere is considered to be an appropriate approach to the provision of office development.

Individual employment sites (the following questions h) to m) apply as appropriate to each strategic employment allocations listed below)

As for the housing sites, to avoid repetition, it is proposed to address the following questions holistically, drawing out specific examples where necessary.

h) Has the overall amount of development proposed at the site been justified by the evidence base?

The evidence base suggests a substantial need of in the region of 150.5ha across the DUA. Based on the potential employment land supply on strategic sites across the DUA, it is necessary to allocate the entirety of each of the three sites to contribute towards meeting needs. This equates to 28 ha (gross) on the Derwent Triangle (AC11), 64.7 ha (gross) on Derby Commercial Park (AC12) and 86.8 ha (gross) on Land South of Wilmore Road (AC15). The emerging/agreed proposals for each site also serve to demonstrate that the scale of development proposed on each site is justified.

i) Has the possibility of some housing development at the site been considered?

The Derwent Triangle site (AC11) was promoted for residential development early in the plan making process. For this reason it was considered as both an employment-led and residential-led site in the SA. The merits of the site for housing were given some consideration, therefore. It was concluded, however, that it was too detached and isolated from other residential areas to form part of an existing community and was not sufficiently large enough to provide the 'critical mass' needed to viably deliver the community facilities and support infrastructure required to create a sustainable neighbourhood.

This was largely accepted by the landowner and promoter of the site who have since progressed a commercial-led proposal. At Pre-Submission stage, the developer of the site did make representations suggesting that part of the site could be identified for residential uses as part of a wider mix. While there is obviously a desire to see increased housing delivery across the City, the Council still have to be mindful of the quality of development proposed and the environment being creating for future residents. The Council considers that developing only a small part of the site for residential uses would only exacerbate the general sustainability concerns that the Council already has about the site in a housing context.

Derby Commercial Park (AC12) and Land South of Wilmore Road (AC15) have never been considered a reasonable or realistic option for housing development, nor has they ever been promoted as such by the landowners or developers. Both sites have been allocated for industrial uses for a number of years and are now coming forward for large scale commercial activity. This in itself renders the sites unsuitable and unavailable for residential development. Notwithstanding this, they both have a number of environmental or locational constraints that would make it difficult to create a satisfactory living environment and which make them far more suitable for employment uses.

j) Have all the infrastructure implications of the development of the site been identified in sufficient detail and supported by the evidence base?

The Council is confident that the infrastructure requirements for each site are set out in sufficient detail and are based on a robust assessment of the needs of each site. In all cases, these have been identified over a number of years as a result of being in previous Local Plans, considered alongside planning applications or as part of other projects, such as T12, OCOR or the A52 scheme.

The key infrastructure for AC12 has already been delivered, while the requirements for AC11 and AC15 are well understood by the developers. T12, a key road into AC15, is also nearing completion.

k) Is it sufficiently clear who is going to deliver the required infrastructure and by when? Which infrastructure is critical to the delivery or rate of development of the site?

The Council feels that this is sufficiently addressed in the IDP and site specific policies.

In terms of AC11 the Council is responsible for the delivery of both OCOR and the A52 improvements but that the developers of the site will be required to contribute to their delivery. All of the major infrastructure to enable AC12 to be developed for employment uses has also already been implemented by the developer.

The Council's Regeneration Team is leading on the delivery of AC15, working with landowners and developers. In terms of critical infrastructure, the Council is delivering the new 'T12' link road which is due to open in Spring 2016 and is carrying out significant flood alleviation work, associated with the delivery of the new road and wider site.

l) Are the transport implications of the development and the measures to address them sufficiently clear and deliverable?

Again, we feel that the policies are very clear about the transport implications of each site and the works required to both create satisfactory access and to mitigate the impacts. As above, the long planning histories of each of these sites – and their relationship with other transport schemes (for example, the A52, T12 and Alvaston Bpass) - means that the transport requirements of each are particularly well understood.

Delivery of AC11 will require significant highway works, including improved access and egress to and from the A52 in order to accommodate the traffic implications of the development. The Council has recently submitted a planning application for a multi-million pound improvement scheme which will provide the necessary improvements to the A52 and surrounding road network to help facilitate the delivery of this strategic employment site. The Council has secured over £6m from the LEP towards the cost of this project. The modelling associated with the business case for this scheme has taken account of the transport implications of developing this site.

The implications of development in this location have also been assessed by the Council's own transport modelling and by the TA submitted in support of the planning application. Therefore, implications are fully understood and measures to address them have been identified. Other localised works will be needed to access the site, but these are not considered 'abnormal' for a scheme of this scale.

The highways implications of AC12 have been fully assessed and appropriate remodelling of the network has already been delivered. In terms of AC15, the implementation of T12 will provide both access to the site and significant improvements to capacity on the local network. The key strategic issues on both of these sites have, therefore, already been addressed. Local improvements and the promotion of sustainable transport measures will not be problematic in terms of delivery.

m) Is there sufficient viability evidence at this stage to have reasonable certainty that the amount of development proposed will be deliverable within the plan period?

The viability evidence (CD024) suggests that speculative commercial development is generally not viable within Derby, in the current economic climate. However, paragraph 6.6 of the report does

recognise that many forms of commercial development may be undertaken directly by occupiers. In these circumstances the development return can be reduced from a developers profit to a margin that reflects occupiers operational or opportunity costs and the development can then be deemed viable. This does not mean, therefore, that development is not likely to take place.

The issue of marginal viability, particularly on large scale strategic employment sites is one main reasons the Council has sought to intervene wherever possible through for example the provision of infrastructure, utilising funding streams such as RGF and the Council's own Regeneration Fund.

Policy **AC11** sets out various criteria to enable the consideration of alternative uses to assist with viability and delivery. The submitted planning application includes a range of alternative uses that are justified by the applicant as 'enabling development' to cross subsidise the less viable parts of the scheme. Criteria (a2) of AC11 includes reference to permitting alternative uses where it can be demonstrated that they are required to help deliver comprehensive development of the site and associated infrastructure.

Working with the developers to deliver the required infrastructure and the positive policy environment, in terms of considering enabling development proposals will help to ensure that the wider site can be delivered during the Plan period.

Parts of the **AC12** have already been built and occupied or are currently under construction. While the first warehouse unit was built out with a specific occupier signed up (Kuehne and Nagel), the second unit was built speculatively, but has now secured a high profile tenant (Ted Baker). This would suggest that the viability of speculative development is not an impediment in this location. On the basis that major infrastructure works have been completed and units have already been occupied, the site is highly likely to be completed during the Plan period.

On **AC15**, the Council is leading on providing essential infrastructure and creating the right market conditions to attract potential occupiers. The Infinity Park Derby (IPD) area of the site has also been awarded Enterprise Zone status which provides businesses with business rate discount and enhanced capital allowances in first year expenditure on plant and machinery. These factors should further reduce the financial burden on businesses looking to locate to IPD, increasing the attractiveness of the opportunity, potentially assisting in terms of viability of development.

In addition to the delivery of infrastructure, the Council is in the process of delivering an £11.8m 'Innovation Centre' (iHub) at the heart of IDP. The new building will host ENSCITE, a collaboration between a number of Universities providing access to research and technology transfer to supply chain companies in the aerospace, automotive and rail sectors.

All of these interventions will contribute to boosting the overall attractiveness of the site and viability of future development.

n) Have the regeneration priorities in Policy CP5 been justified?

Other than District Centres, the areas identified in Policy CP5 are all areas of significant deprivation and/or are the focus of major regeneration schemes that have a potential impact on one or more communities. While the plan identifies a number of other regeneration sites and priorities for development, it was considered that another policy was needed to highlight other areas of priority;

some of which are not subject to specific proposals, but which are still important enough to give some recognition and support to. This is particularly the case for the Derwent Estate and Rosehill/Peartree areas.

District Centres are identified as priorities as they provide an important function within communities; acting as focal points and providing for their day to day needs. Vibrant District Centres can, therefore, have a very positive impact on the lives of residents.

o) Do policies for the following regeneration areas provide an appropriate basis for their redevelopment or enhancement? Do they provide sufficient clarity as to the mix and amount of development, including provision for housing? Would redevelopment of these areas be viable and deliverable?

The former Celanese site (**AC13**) is identified as a significant brownfield regeneration opportunity in the Core Strategy. The scale of the site (72ha) means that it could be appropriate for a variety of different uses, including the possibility of residential. However, the site is significantly constrained by a number of issues, including contamination, access and flooding. While these issues are capable of being overcome in principle, at the time of drafting the Core Strategy, the proposals for the site were not sufficiently progressed for the Council to have any certainty about specific land uses, infrastructure requirements, viability and overall deliverability. This continues to be the case, with no further detail having been submitted by the landowner.

On this basis, the Council does not have sufficient certainty to specifically allocate the site for employment or residential development While meeting the deliverability requirements set out in the NPPF. However, it is recognised that the site is of strategic importance and requires regeneration. Therefore, the Council has pursued a criteria based policy approach, setting out the criteria against which future development proposals will be assessed. This approach provides a framework to help guide the development of future proposals, is generally supported by the landowner and considered to be the most appropriate and effective way of promoting and managing regeneration of the site, in the current context. Importantly, the policy does not rule out the provision of housing in this location during the Plan period – contrary to the opinion of some objectors.

Given the nature of the constraints, any future development on this is unlikely to be viable and will require financial assistance.

Policy **AC16** identifies the Rolls-Royce landholding to the south of Sinfyn as a regeneration area, reflecting Rolls-Royce's aspirations to redevelop this area into a modern campus. The strategic nature of the Rolls-Royce landholding and potential economic implications of securing regeneration in this area, justify their inclusion in a bespoke policy.

At the time of drafting, the detail of Rolls-Royce's aspirations in this area was not fully clear and therefore the Policy seeks to highlight the Council's general support for manufacturing / R&D led regeneration in this area. Rolls-Royce has subsequently submitted an outline planning application for the whole Campus area, setting out land use parameters. A separate application was also submitted by the Council to realign Victory Road, enabling the creation of the Campus. Both applications were approved in 2015. While draft policy AC16 did not carry significant weight at the time of the

determination of the relevant applications, it was referenced in the committee reports and did provide a useful indication of the Council's general support for the proposals.

The Campus will be built out on a phase by phase basis, with each phase subject to value for money assessment by Rolls-Royce. The Council is contributing to the realignment of Victory Road. The development of housing in this area would not be appropriate given the nature of the surrounding uses and continued operational use by Rolls-Royce.

Policy **AC17** identifies land at Sinfin Lane as a significant brownfield regeneration opportunity. The policy allows for the continuation of existing employment uses, but also sets out criteria against which residential proposals will be assessed.

This site was originally specifically allocated for residential development (700 homes) in the Draft Plan (2013). This reflected promotion by the landowners and the resolution to grant planning permission for 600 homes on the majority of the site and a further approved application for 106 homes at the southern extent. However, the application for 600 homes was withdrawn after the landowners entered administration. The administrators subsequently disposed of parts of the site on a piecemeal basis. This undermined the Council's confidence that the site could be demonstrated to be deliverable and viable within the Plan period. On this basis, the decision was taken to remove the allocation and instead adopt a criteria based policy approach to promoting regeneration.

Importantly, the wording of the Policy does not rule out residential redevelopment during the Plan period. The delivery of new homes on this site would contribute to the windfall assumption.

This approach provides a framework to help guide the development of future proposals and considered to be the most appropriate and effective way of promoting and managing regeneration of the site, in the current context.

p) Would the Local Plan be unsound if the additional or alternative 'omission' employment/commercial site promoted in representations was not included? If so, is this site soundly based and deliverable in the plan period and has it been subject to sustainability appraisal?

The Core Strategy makes provision for employment land (gross) in excess of the most optimistic forecasts. Even once the gross supply is discounted to account for major infrastructure, the supply in the DUA is consistent with the most optimistic forecast. Therefore the Plan and wider DUA strategy will undoubtedly meet objectively assessed needs for employment land, (as required by the NPPF) meaning that is sound in this regard.

The Council has consistently stated that it does not consider the site in question to be 'strategic' from an employment land perspective. It could only create a relatively small area of employment land which would not be considered 'critical' to delivery of the Council's employment land supply or economic strategy. It has always been held that the Part 1 plan would only make amendments to Green Wedge boundaries where they are consequential to the release of housing sites (even here we have reserved the right to consider Green Wedges again in Part 2 to address the 'residual' element of housing need). The issue of allocating the site is not, therefore, considered to be within the scope of this plan or necessary to ensure that it is 'sound'. This position was most recently reiterated in our responses to Pre-Submission consultation (see Rep ids: 3556 and 3559).

Notwithstanding this, we have also highlighted other possible concerns about the allocation of land in this area at this time which have not been fully addressed. In addition to Green Wedge considerations, there are a number of other issues that will need to be considered collectively as part of the identification of any new employment land in this area including the future of the adjacent Cattle and Wholesale Market sites, the satisfactory access to the site, the future role of 'saved' allocation EP6, the impact of the Our City Our River (OCOR) programme and more general drainage issues (the site is currently in Flood Zones 2 and 3) and the effect of any development on nearby biodiversity assets. Therefore it is logical for the site to be considered through the Part 2 plan.

Importantly, both respondents who have commented on this site have made reference to removing the land from the Green Wedge owing to conflict with 'permitted development rights' or existing operations. As explained in our response to these comments, the Green Wedge policy has not prejudiced the minerals operation from receiving successive permission for the continuation of existing works; the latest of which allows them to continue operation until at least 2019 (hence questioning the delivery of alternative uses in the short term in any event) and Green Wedge policy clearly cannot stop Network Rail from carrying out any operations for which they don't need planning permission. Therefore, it is not considered that addressing this site through the Part 2 plan can prejudice the interests of either party to any significant extent.

In conclusion, the exclusion of this site is outside the identified scope of the Core Strategy and in no way jeopardises the economic strategy or delivery of employment land. It has not, therefore, been considered a reasonable option to be considered within the plan and should more appropriately be addressed through the Part 2 plan.

q) Should the Local Plan include a policy for telecommunications development?

The Council considers that paragraphs 42 to 46 of the NPPF provide a satisfactory policy framework for dealing with relevant planning applications. This is not considered to be a 'strategic' matter and thus not something that was necessarily within the scope of the Core Strategy even if it were considered that a policy were necessary. As such, it is not necessary or appropriate to include the policy in Part 1 Plan. However, the Council can consider the inclusion of a policy in the Part 2 Local Plan if it is deemed an important 'development management' policy.