

# LB Waltham Forest Development Management Policies Local Plan Document

Session; Employment policies

21 May 2013

30 minutes

## Agenda

**Participants;** Inspector, Council, IPIF

**Issues;** policies DM21, DM22. My Q150, 154

- 1) Council's overall view of, and response to, representations and Inspector's questions. Presentation of proposed amendments.
- 2) DM21

**The IPIF** Clarification should be provided that the proposed criteria based assessment is not applicable to the key sites including the Blackhorse Lane regeneration area, where land use principles have been agreed through the AAP. Without the change, this policy could restrict residential development from coming forward in key areas which have been identified for new housing.

Taking this into account, we suggest the following re-wording: a) "Within non designated employment land (i.e. land currently or last used for such purposes but not identified on the policies map), applications for alternative uses will only be permitted in the following circumstances: \*The site is demonstrated to be no longer fit for employment use; \*The Council is satisfied that the proposed use would not be better located in a town or district centre; \*Mitigation for the loss of employment land is provided in accordance with policy DM37 and the Council's Planning Obligations SPD; \*In all other respects the proposed use is well designated and suitable to its surroundings. Exceptions to the above include those instances where the Council has identified a preferred alternative land use for development sites and those sites located in the identified growth areas. b) Where land last used...."

**The Council** responds that LDF policies should be read in conjunction. Where sites that are no longer designated as employment land come forward for development, policy DM21 will be an important consideration; alongside guidance in any relevant Area Action Plan. Whilst the Area Action Plan will therefore set out that alternative uses are acceptable (and details of what these uses will be), it is still expected that schemes would be of a mixed use nature, and that compensation for loss of employment land provided. The forthcoming Area Action Plan will not be designating

any previously used employment sites for solely residential purposes; since job protection and creation are key objectives for the Council.

The **Council** proposes a further change to policy DM21 in response to my questions.

Other than the responses to **my Q150** (d) and (g) I am happy with the Council's responses.

It seems to me that the penultimate bullet point of DM21 (a) is, in effect, requiring a payment in return for a planning permission. As drafted, there can be no other way of complying with the policy. In fact, the Council's response to my question points to policy DM22 as an alternative method of partial mitigation. But going beyond that, if the policy is not to be ultra vires, there must be an acceptable way of complying with it in full other than by the payment of money (i.e. by the developer providing his own training scheme). Would the Council please consider redrafting the penultimate bullet point of DM21 (a) along the following lines;

mitigation for the loss of employment land is provided either by the provision of arrangements to train local residents to obtain the knowledge, skills and confidence necessary to acquire jobs elsewhere, or by the use of local labour agreements for the construction phase of new development and/or the end user jobs of new non- residential development.

The fourth paragraph of the re-written justification will also need revisiting. I suggest;

Although the Council accepts that the obsolescence of a former employment premises may necessitate redevelopment for some more productive purpose, that only resolves physical issues. It does not resolve the human problems resulting from the loss of the former employment, which also need to be addressed. To achieve the full benefit of more productive uses of land, local residents need to be trained or retrained for the purposes of the new employment opportunities. If a developer is unable to provide that training as a part of the redevelopment proposal, then a contribution to the Council's Worknet programme, secured through a planning obligation, is available as an alternative.

I am grateful for the Council's explanation of what it intended policy DM21 (c) to mean. Can I suggest that the meaning might be more clearly expressed as follows;

c) New live/work premises will be supported where:

- a clear need for ~~them~~ a residential presence on a worksite has been demonstrated.  
(then as existing).

Similarly, in the sixth paragraph of the rewritten justification, "them"

should be substituted by "a residential presence on a worksite "

### 3) DM22

In general terms, I am happy with the Council's responses, except to my Q154.

The new justificatory text appears to introduce yet further elements of policy not stated in the policy itself. The redrafted point (b) and the new text in the third paragraph of its justification close down the opportunity for applications which are not major to comply with the policy by any means other than a financial contribution. As noted above, in relation to DM21, I am concerned that this may be ultra vires.

I suggest that the Council considers redrafting part (b) of the policy as follows;

b) ~~Where appropriate, e~~ Opportunities to secure the training and recruitment of local residents as part of new developments (including in the construction phase) will be assessed and targets of 10-15% of apprenticeships and 30% of jobs resulting from the development to be filled by borough residents will be secured through:

- local labour agreements and job brokerage initiatives;
- wider employment and training initiatives.

In general terms, the policy is adequately justified by paragraphs 23.3 and 23.4. Paragraphs 23.5 and 23.6 are concerned only with the justifying the use of planning obligations. I suggest that the Council considers deleting paragraphs 23.5 and 23.6 and substituting;

Local labour agreements and wider employment and training initiatives may best be secured by planning obligations. In some cases it may be convenient for a developer to offer a financial payment to secure delivery from the Council rather than provide the training directly. In either case it is important that the obligation is proportionate to the development and consistent between developments. For those reasons an assessment of opportunities will be made (using Whole Life Consultants Ltd's Construction Skills Forecasting Tool or equally reputable substitute) and targets applied.