

Policy CS17 – Protection of Employment Land

Summary of Comments Received	Recommended Response
The requirement to consider suitability for priority sectors is unjustified, contrary to national policy, restrictive and inflexible.	No change is recommended to point 1 of Policy CS17, as it is not unreasonable to ensure that a site would not be suitable for an identified priority sector before an alternative use is considered. Policy CS17, as currently worded, provides sufficient flexibility to allow alternative uses to be considered in the event that it can be demonstrated that there was no realistic prospect of employment uses coming forward on the site under consideration.
National policy states that planning policies should avoid the long term protection of sites allocated for employment uses where there is no reasonable prospect of a site being used for that purpose. There is no justification for a two year marketing period which is contrary to the more flexible approach required by national policy.	It is recommended that a 12 month period is adopted in line with other representations to Policy CS17, reported below.
The requirement to consider the needs identified in Policy CS13 is not justified when the quantitative need has been overstated, having regard to the evidence base.	No change is recommended, as this representation is mainly directed at Policy CS13 – Employment Land Requirement.
The link to an ongoing 5-year supply of housing land is unduly restrictive and does not allow for residential use where there is no reasonable prospect of securing an alternative, viable employment use without appropriate cross-subsidisation. Policy CS17 should allow the material benefits of delivering housing as part of viable regeneration schemes to be considered even when there is already a demonstrable 5-year supply, to support viability in line with paragraph 19.23.	No change is recommended, as the Wirral Employment Land and Premises Study has concluded that there is a shortage of immediately available employment land in Wirral and that the loss of a large proportion of existing premises to alternative uses could seriously affect the Borough's ability to maintain a credible future supply of attractive employment floorspace. It is, therefore, reasonable to expect any release for residential development to be justified in the light of the prevailing housing land supply.
Paragraph 19.21 is contrary to national policy which states that the long term protection of employment sites should be avoided "where there is no reasonable prospect of a site being used for that purpose" and essentially continues to promote an inflexible protectionist approach to employment land.	No change is recommended, as national policy expects local plans to be based on a strategy to meet the objectively assessed needs for new employment development (NPPF, paragraph 182 refers). The Wirral Employment Land and Premises Study has concluded that there is a shortage of immediately available employment land and in Wirral that the loss of a large proportion of existing premises to alternative uses could seriously affect the Borough's ability to maintain a credible future supply of attractive employment floorspace. Policy CS17 as currently worded provides sufficient flexibility to allow alternative uses to be considered in the event that it can be demonstrated that there is no realistic prospect of employment uses coming forward on any particular site.

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Policy CS17 is inconsistent with Policy CS15 – Criteria for Employment Development and fails to recognise the opportunity for businesses falling outside Use Classes B1, B2 and B8 to contribute towards the revitalisation of the economy. Policy CS17 should aim to protect existing employment land for all uses which promote enterprise, job creation and contribute to the local economy. The restrictions on alternative uses should only apply to uses that would not contribute to job creation or the local economy.	Accepted. It is recommended to amend Policy CS17 to read: “Land will be safeguarded within designated employment areas to maintain <u>and create</u> local employment...” and to read: “Alternative uses will only be acceptable on land designated for B1, B2, <u>B8 or other similar employment uses</u> where:”
A 2 year marketing period is considered onerous. Other Councils apply a 12 month period.	Although a 2 year marketing period is only a short-term protection, it is recommended that point 2 of Policy CS17 is amended to read: “the site has been continuously marketed for employment uses at realistic prices for a period of at least <u>12 months</u> and there is no reasonable prospect of the site being re-used for employment uses;” to bring Policy CS17 in line with the requirements of other Councils.
A 2 year marketing period is too onerous and runs counter to national policy in paragraph 22 of the National Planning Policy Framework. 12 months would be more than sufficient.	Although a 2 year marketing period is only a short-term protection, it is recommended that point 2 of Policy CS17 is amended to read: “the site has been continuously marketed for employment uses at realistic prices for a period of at least <u>12 months</u> and there is no reasonable prospect of the site being re-used for employment uses;” to bring Policy CS17 in line with the requirements of other Councils.
Policy CS17 is overly restrictive, especially in terms of the requirement to have marketed an employment site for at least 2 years. Allowance should be made for the development of employment land for alternative uses where there is no reasonable prospect of a site being used for the allocated use over time to allow proposals to be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities, in accordance with paragraph 22 of the National Planning Policy Framework.	Although a 2 year marketing period is only a short-term protection, it is recommended that Point 2 of Policy CS17 is amended to read: “the site has been continuously marketed for employment uses at realistic prices for a period of at least <u>12 months</u> and there is no reasonable prospect of the site being re-used for employment uses;” to bring Policy CS17 in line with the requirements of other Councils. Policy CS17, as currently worded, provides sufficient flexibility to allow alternative uses to be considered in the event that it can be demonstrated that there is no realistic prospect of employment uses coming forward on any particular site.
Paragraph 22 of the National Planning Policy Framework should be included in full.	No change is recommended as it is not necessary to duplicate national policy and Policy CS17 provides sufficient flexibility to enable alternative uses to be considered in the event there is no realistic prospect of employment uses coming forward.