

Review of SG Safeguarding5: Safeguarding Employment Land

1. Introduction

- 1.1 The purpose of this paper is to examine the content of SG Safeguarding5: Safeguarding employment land and consider any relevant changes in the national policies and local context. It considers whether this SG still meets the requirements of Scottish Planning Policy and other national planning documents, and whether it forms a sound basis for making planning decisions regarding the protection of employment land throughout Aberdeenshire.

2. Policy Approach

- 2.1 The current policy, SG Safeguarding 5: Safeguarding employment land, states that:

We will not approve development for non-employment uses on the sites identified in Schedule 2 New Employment Land Allocations within the Aberdeenshire Local Development Plan.

We will only approve development for non-employment uses on existing employment sites, usually identified as BUS within settlement statements, and whether it is greenfield or brownfield land, subject to other policies, if:

- 1) *there is a constraint on the site whereby there is no reasonable prospect of it ever becoming marketable for employment development; OR*
- 2) *the site is poorly located for employment uses and an alternative land use would benefit the surrounding area and community.*

In either of these cases the applicant must also demonstrate that the non-employment use:

- a) *will not prejudice the strategic employment land requirement; AND*
- b) *would be compatible with neighbouring employment uses; AND*
- c) *will respect the character and amenity of the surrounding area and is landscaped accordingly.*

- 2.2 The intention of this policy is to ensure that employment land designated in settlement maps is indeed used for employment purposes and set out criteria where non-employment uses would be allowed on existing employment sites. While there is some overlap with SGBus 1: Development of business land, both policies remain pertinent in their own right. SG Bus1 can facilitate the development of business/employment land, whereas SG Safeguarding5 can be utilised to reserve designated employment sites for their intended purpose.
- 2.3 The policy accords with Scottish Planning Policy (2010) in that it protects new and future sites for business land from inappropriate uses, whilst allowing alternative uses on existing employment sites where they are unmarketable (and therefore vacant) or obsolete for their intended use.

3. Background

National context

- 3.1 The Economic Development advice within Scottish Planning Policy (2010) states that strategic sites for business use should be protected from inappropriate uses and development that would compromise their quality, accessibility or market ability as a business location. The identification and safeguarding of employment land is imperative to meeting the Scottish government's overarching purpose of increasing sustainable economic growth.
- 3.2 In addition to protecting business sites, the SPP also urges planning authorities to *take a flexible approach to ensure that changing circumstances can be accommodated and new economic opportunities realised ... [and] removing unnecessary planning barriers to business development ...* (SPP, 2010). In the context of this SG, these statements are more applicable to strategic reserve land.
- 3.3 In relation to non-employment uses on existing employment sites, the SPP highlights that vacant and derelict land, and obsolete commercial and industrial property can act as a constraint on the economic growth of towns and cities. It acknowledges the role a high environmental quality can play in attracting investment into an area and providing economic opportunities (e.g. through tourism and recreation). Therefore, the SPP encourages planning authorities to support and promote proposals to bring vacant or derelict land back into productive use for development or to create more attractive environments.
- 3.4 In terms of brownfield land, SPP directs planning authorities to utilise this underused resource as potential sites for new development, allowing the land to be back in productive use and creating more attractive environments. To enable redevelopment opportunities, SPP encourages local authorities to exercise their compulsory purchase powers to ensure the reuse of derelict or underused buildings and previously developed land. In response to this, Aberdeenshire Council commissioned a Brownfield Urban Capacity Study of Banff, Macduff, Fraserburgh and Peterhead (2013). It appraised 19 brownfield sites greater than 0.30hectares, and concluded that in the majority of cases brownfield land is only viable if developed for residential uses (i.e. social housing). Furthermore, the study identified that due to low land values in these areas only one site is economically viable for redevelopment, unless proposals receive public funding.
- 3.5 National Planning Framework 2 seeks to sustain vibrant economic growth in the northeast and that national developments for this area are delivered.

Strategic/ regional context

- 3.6 Aberdeen City and Shire Structure Plan 2009 (SP) does not explicitly require the safeguarding of business sites, but it places emphasis on ensuring there is ample provision of employment land available within the city and the shire. In this case, the SP requires at least 60 hectares of land available to businesses at all times throughout the region. As such, the local development plan has a duty to protect these sites, which are currently listed as listed in Schedule 2, from non-employment uses.
- 3.7 The Proposed Aberdeen City and Shire Strategic Development Plan 2013 continues with the same economic growth targets, but adds that LDP's should, where possible, protect strategic reserve land from other uses.

4. Drivers of change

- 4.1 The review of SG BUS1: *Development on business land* highlights the need to reflect both existing and new employment sites and includes, as a recommendation, changing its title to reflect both business and employment land. Given that this is a safeguarding policy for sites referred to in SG Bus1, it would make sense to change the title to *Safeguarding business and employment land*.
- 4.2 The SPP suggests authorities should adopt a proactive approach to encouraging the reuse of buildings and previously developed land, but as the second paragraph of the SG already supports this, no change to the policy is required. However, for clarity, it is proposed that the policy is split into two parts (A and B), as the first paragraph in the policy does not allow non-employment uses on sites listed in Schedule 2 of the LDP. In addition, a minor amendment to the sixth paragraph in the justification text is proposed to ensure consistency when referring to designations (i.e. it should read “regeneration priority areas”).
- 4.3 The Proposed SDP’s desire to protect future employment land options and the SPP’s aspiration for flexible approach to changing circumstances is likely to require the policy to make specific reference to the protection of and flexible use of strategic reserve land (SLR). SRL is a long term development option in phase 3 of the 2012 Plan (2023 onwards). However, they are not directly referred to in the policy (only via Schedule 2) even though they are identified as an allocation in the settlement statements. Furthermore, these sites are not currently available for immediate development. In light of this there are no mechanisms to allow the early release of SRL should economic circumstances change or the design of a site requires access through SRL. In light of the above, an additional sentence is likely to be necessary at the end of the first paragraph in the policy and reference to SRL in the first paragraph of the justification text.
- 4.4 In order for the council to be more proactive in the redevelopment of brownfield opportunities the policy could be amended that supports non-employment uses within Regeneration Priority Areas outwith Strategic Growth Areas. Such uses could include retail, social/affordable housing and community facilities. Off-site affordable housing contributions could be serve two purposes – to allow brownfield land to be redeveloped which are often in the preferred location (i.e. near town centres). Secondly, it would allow greenfield housing sites in Banff and Fraserburgh to come forward as they are often only viable if larger houses are built.
- 4.5 Engagement with the Scottish Environment Protection Agency (SEPA) highlighted that this policy should not preclude the use of employment land for waste/resource management facilities. They note that the supporting text in policy SG Safeguarding 8 states that land in use classes 5 (general industrial) and 6 (storage or distribution) are appropriate for use by waste management facilities. As such, both of these classes may fall within “employment” designations and recommend that the supporting text clarifies that waste/resource management uses are appropriate types of development in safeguarded employment land, when considered in conjunction with policy SG Safeguarding 8.

5. Recommendations

- 5.1 Change title to reflect both business and employment land.

- 5.2 Divide the supplementary guidance into two parts: Part A would relate to Schedule 2 sites and the remainder of the policy would fall under part B. Divide the first paragraph in the Reasoned Justification text in two accordingly.
- 5.3 At the end of the first paragraph (Part A) add "In exceptional circumstances, the early release of strategic reserve land would be supported if there is a justified economic need or it is required for design reasons."
- 5.4 Add a new sentence after the new first paragraph in the justification text, "Some flexibility will be allowed in relation to the early release of strategic reserve land where this is due to economic circumstances increasing the demand for employment land or the design of a site would make for a better overall layout (i.e. access is required through strategic reserve land)."
- 5.5 In the fourth last paragraph of the supporting text, add "...employment uses, including waste/resource management facilities, normally ..."
- 5.6 Add a new sentence at the end of the second last paragraph in the justification text, "Non-employment uses such as retail, tourism, social/affordable housing (e.g. off-site contributions) and community facilities will be favourable considered on sites within the Regeneration Priority Areas that are outwith the Strategic Growth Areas."
- 5.7 These modifications are of minor significance and do not constitute a "main issue" for discussion within the Main Issues Report.

6. Summary of main points

- 6.1 Alongside SG BUS1: Development of business land, these policies cover the key points associated with the development of business land throughout Aberdeenshire. This policy seeks to safeguard the long term provision of business land, corresponding with SPP, NPF2 and the current Structure Plan. The overall aims of the policy are to ensure that designated employment land within the plan is only used for appropriate employment uses whilst setting out caveats when non-employment uses may be supported on existing employment sites.
- 6.2 Overall, SG Safeguarding 5 remains a robust policy although minor amendments are required to the change the title to reflect both business and employment land, to distinguish the two elements of the policy that refer to new and existing sites, and to set out the circumstances when development on strategic reserve land would be supported. Minor additions are required to the supporting text stating when development on strategic reserve land can be brought forward, that employment land includes waste management facilities, and to allow greater flexibility in the uses supported on previously developed land in Regeneration Priority Areas outwith Strategic Growth Areas.

References

Ryden (2013) *Brownfield Urban Capacity Study of Banff, Macduff, Fraserburgh and Peterhead*, Aberdeenshire Council

Strategic Development Planning Authority (2013) *Aberdeen City and Shire Strategic Development Plan – Proposed Plan*

Aberdeenshire Council (2012) *Aberdeenshire Local Development Plan 2012*

Scottish Government (2010) *Scottish Planning Policy*

Strategic Development Planning Authority (2009) *Aberdeen City and Shire Structure Plan*

Scottish Government (2009) *National Planning Framework 2*