



Loss of Zoned Employment Land

Supplementary Planning Guidance

May 2023

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Belfast
City Council



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1 Introduction

1.1 Overview

- 1.1.1 This Supplementary Planning Guidance (SPG) provides additional advice and guidance specific to the loss of employment land in Belfast, and is intended for use by developers, the public and by planning officers in the assessment and delivery of planning proposals.
- 1.1.2 SPG represents non-statutory planning guidance that supports and clarifies policies included within the current planning policy framework, including development plans and regional planning guidance. The information set out in this SPG should therefore be read in conjunction with the existing planning policy framework, most notably the Strategic Planning Policy Statement (SPPS) for Northern Ireland and the Belfast Local Development Plan Strategy.
- 1.1.3 The SPG provides guidance on the assessment of alternative development proposals for zoned employment land and premises. It sets out the necessary evidence required to satisfy the policy criteria under EC 4: Loss of employment land.

1.2 Purpose and Objectives

- 1.2.1 The council identifies economic growth as a key priority and aims to promote sustainable economic growth, create jobs and support business growth and enterprise. It seeks to protect existing premises in B class uses on zoned employment land, where there are strong economic reasons why the loss of the employment site would be inappropriate.
- 1.2.2 The purpose is to secure the proper implementation of Policy EC4 of the Belfast Local Development Plan, Plan Strategy. The key objectives of the policy are:
- ensuring an adequate supply of employment land in Belfast, including the provision of suitable locations which are available for industrial and commercial developments;
 - provision for a broad range of business types from small start-up businesses through to small, medium and large enterprises;
 - protecting employment sites / premises for employment use where there is a good prospect for employment use; and
 - help to maintain and support the creation of employment opportunities within the City.
- 1.2.3 It will enable applicants to interpret LDP policies and identify where other non-specified uses will be acceptable on designated employment land.

1.3 What type of land and premises are included

- 1.3.1 The loss of employment land and Premises SPG relates only to cases where a planning application is being submitted to change existing 'B' Use Classes as defined in the Planning (Use Classes) Order (NI) 2015 or any other use of a similar character not falling with a specified use class.
- 1.3.2 The B use classes comprise of the following:
- B1 Business – (a) Office (other than those that fall within A2), (b) Research and development; and (c) Call centres
 - B2 General industrial
 - B3 Light industrial
 - B4 Storage and distribution
- 1.3.3 The SPG applies to all zoned employment land within Belfast. Each application is, however, considered on a case-by-case basis, and on its own merits. If you are in doubt as to whether the SPG applies to your land or premises, you are advised to contact the council's development management team.

2 Policy Context

2.1 Regional planning policy and guidance

Regional Development Strategy (RDS) 2035

- 2.1.1 The RDS recognises the importance of Belfast as the major driver for regional economic growth. The RDS 2035 provides a framework for strong sustainable economic growth across the region and recognises that a growing regional economy needs a co-ordinated approach to the provision of services, jobs and infrastructure. It provides regional guidance to ensure an adequate supply of land to facilitate sustainable economic growth. RG1 ensures that there is adequate supply of land to facilitate economic growth. Land should be accessible and located to make the best use of available services.

Strategic Planning Policy Statement (SPPS) for Northern Ireland (2015)

- 2.1.2 The Council is required by the Strategic Planning Policy Statement (SPPS) for Northern Ireland to secure the orderly and consistent development of land whilst furthering sustainable development and improving well-being, simultaneously pursuing social and economic priorities alongside the careful management of the built and natural environments for the overall benefit of society.
- 2.1.3 In furthering sustainable development, the SPPS advises on the economy contributing to the Executive's key commitments and priorities for promoting economic recovery and balanced growth; tackling disadvantage by ensuring economic considerations are accorded appropriate weight in plan preparation.

2.2 Local planning policy

Plan Strategy (PS)

- 2.2.1 The Planning Act (Northern Ireland) 2011 establishes a plan-led system and gives primacy to the Local Development Plan in the assessment of planning applications.
- 2.2.2 The Plan Strategy provides the strategic policy framework for the plan area across a range of topics. It sets out the vision for Belfast as well as the objectives and strategic policies required to deliver that vision. It also includes a suite of topic-based operational policies, including those relating to employment. This guidance supplements Policy EC4: Loss of zoned employment land.

Local Policies Plan (LPP)

- 2.2.3 The LPP will set out site-specific proposals in relation to the development and use of land in Belfast. It contains the local policies, designations and land use zonings

Policy context

required to deliver the council’s vision, objectives and strategic policies, as set out in the PS.

- 2.2.4 The LPP sets out key site requirements for certain zoned sites which in some cases may include specific guidance in relation to the type of employment land, and/or the requirements for other contributions, for example relating to transport, infrastructure, etc.

2.3 Other Evidence

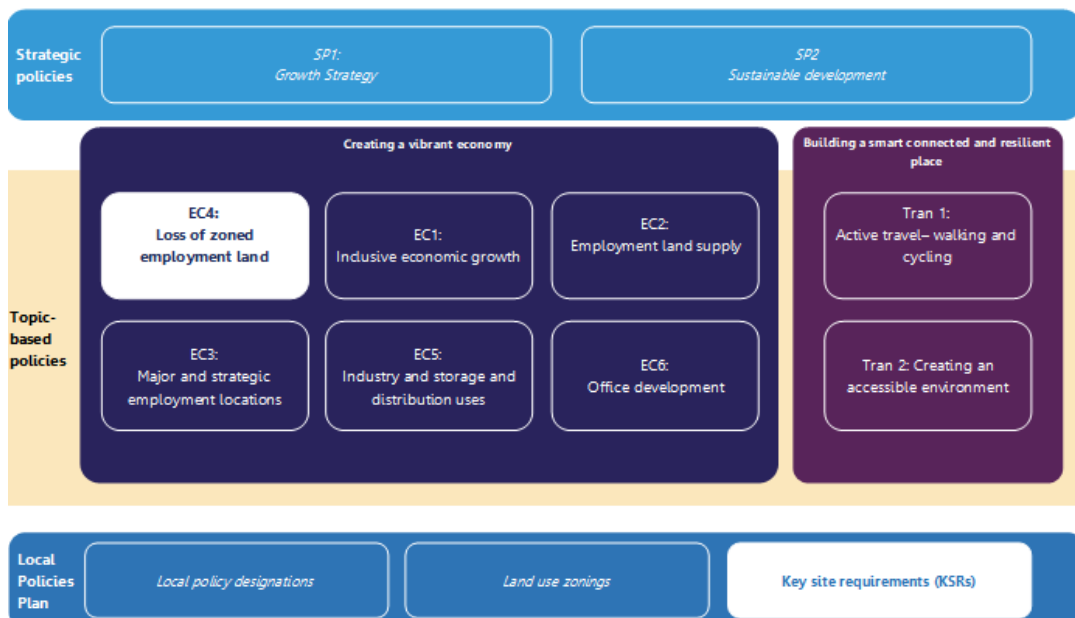
Belfast Agenda (Community Plan)

- 2.3.1 There is a statutory obligation for the LDP to take account of the Community Plan known in Belfast city as the Belfast Agenda. The plan sets out a joint vision and long-term ambitions for Belfast’s future, as well as outlining priorities for action over the next four years.
- 2.3.2 Delivery of this vision is based on a number of strategic outcomes, together with four ambitions to be achieved by 2035. The LDP is recognised within the Belfast Agenda as one of the key tools available to shape the physical future of Belfast in an integrated, sustainable approach to economic growth and investment.

Assessing Employment Space Requirements across the City 2016-2030

- 2.3.3 This economic research paper by Ulster University’s Economic Policy Centre, September 2016 was prepared for the preparation of the Preferred Options Paper (POP). It estimated future floor space requirements for the city based on employment density standards. In the baseline scenario, with no allowance made for existing capacity, Belfast will require a total of 550,000 sq. m. of employment space for B Use Classes over the plan.

Figure 1: Inter-related policies relevant to loss of employment land



3 Issues

3.1 Complimentary uses

Policy EC4 – Loss of zoned employment land

... the proposal is complimentary to the primary use of the area, providing a small scale ancillary service to meet the day to day needs of local employees.

- 3.1.1 There are a limited number of non-B uses which could be considered acceptable on employment sites as they would provide a service to employees and their clients and contribute to the efficiency of the employment site. Examples of these uses include open space, public realm, leisure uses such as a gym, food and drink uses and childcare facilities. The absence of such facilities in an employment area can increase travel demand and make the areas less attractive to employers and employees.
- 3.1.2 Applicants should be aware that this list is intended to provide examples of uses which could be acceptable subject to detailed assessment and is not an exhaustive list.
- 3.1.3 When determining planning applications for non B uses on employment sites in the context of Policy EC4 consideration will be given to the following: The nature of the use proposed and whether it is considered as ancillary to the functioning of the wider employment location; Existing ancillary uses already operating (or recently benefiting from planning consent) on the employment site; and the size of the employment site and its ability to sustain the proposed use.

3.2 Overall Capacity

Policy EC4 – Loss of zoned employment land

... Not adversely affect the city's overall capacity to meet the future demand for employment land.

- 3.2.1 A minimum reservoir of 550,000 sq. metres of land zoned for employment is critical to meeting future forecasted demand over the plan period and to ensure required economic growth is facilitated. Proposals seeking alternative uses will have demonstrate to that would not lead to a significant diminution of zoned employment land.
- 3.2.2 The policy approach will help the council to ensure that sufficient land of the right type is available in the right locations and at the right time to support economic growth and innovation, whilst at the same time providing a degree flexibility and

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avoiding the long term protection of site zoned for employment use where there is no reasonable prospect of a site being used for that purpose.

3.3 Marketing Requirements

Policy EC4 – Loss of employment land

Demonstrate that there is no likely future demand for employment use on the site. This would require evidence that it has been actively marketed for B1(b), B1(c), B2, B3, and B4 uses for a minimum of 18 months.

- 3.3.1 The council's starting point in the assessment of proposals for the redevelopment of employment sites or buildings to alternative uses will be to retain all zoned employment land and buildings for continued use to ensure Belfast has an adequate supply to ensure thriving and prosperous economy and the objectives of the Belfast Agenda are met.
- 3.3.2 A key consideration in the test of viability is the way the site or premises has been marketed for continued employment use. A marketing statement and supporting evidence will be required to demonstrate that the site or premises have been appropriately marketed and there is no current demand for employment use.
- 3.3.3 There are two stages to this marketing process which applicants should follow:
1. Marketing the re-use of the site;
 2. Marketing the redevelopment of the site for employment purposes.
- 3.3.4 The Council expects employment land and premises to be actively marketed for at least 18 months before an application for redevelopment or a change to an alternative use can be considered. A lesser financial return on investment relative to other development is not sufficient to justify the site not continuing to be available for employment use.
- 3.3.5 Where relevant the marketing strategy will also need to consider the potential to refurbish or redevelop the site in part or in whole to meet the requirements of alternative employment uses.
- 3.3.6 A marketing statement should be submitted with the planning application, setting out the details of the marketing strategy that has been undertaken. The marketing statement will be expected to show the latest interest shown in the building. This

should include any details of why the interest was not pursued. The council may seek input from statutory consultees regarding the marketing strategy.

3.3.7 The marketing statement should target potential occupiers and the following measures should be used:-

- The market price and an indication of this price relative to those prevailing for similar premises in the local market of Belfast. Where possible, examples of comparable transactions involving a similar site or building. This should also include details of an independent valuation.
- Any reductions in market price made during the course of marketing;
- The marketed use of the site (the council will expect employment sites or premises to be marketed in a way that identifies all the options available in retaining the site in employment use. This will include, where appropriate, the potential for refurbishment, redevelopment for new employment uses, sub-division or amalgamation.
- A monthly breakdown of interest in the property; all expressions of interest/offers received including rental interest, progress and negotiations undertaken including any offers made and reasons for these being rejected. Where possible the applicant should obtain from interested parties reasons/explanations as to why they were not able/willing to proceed.

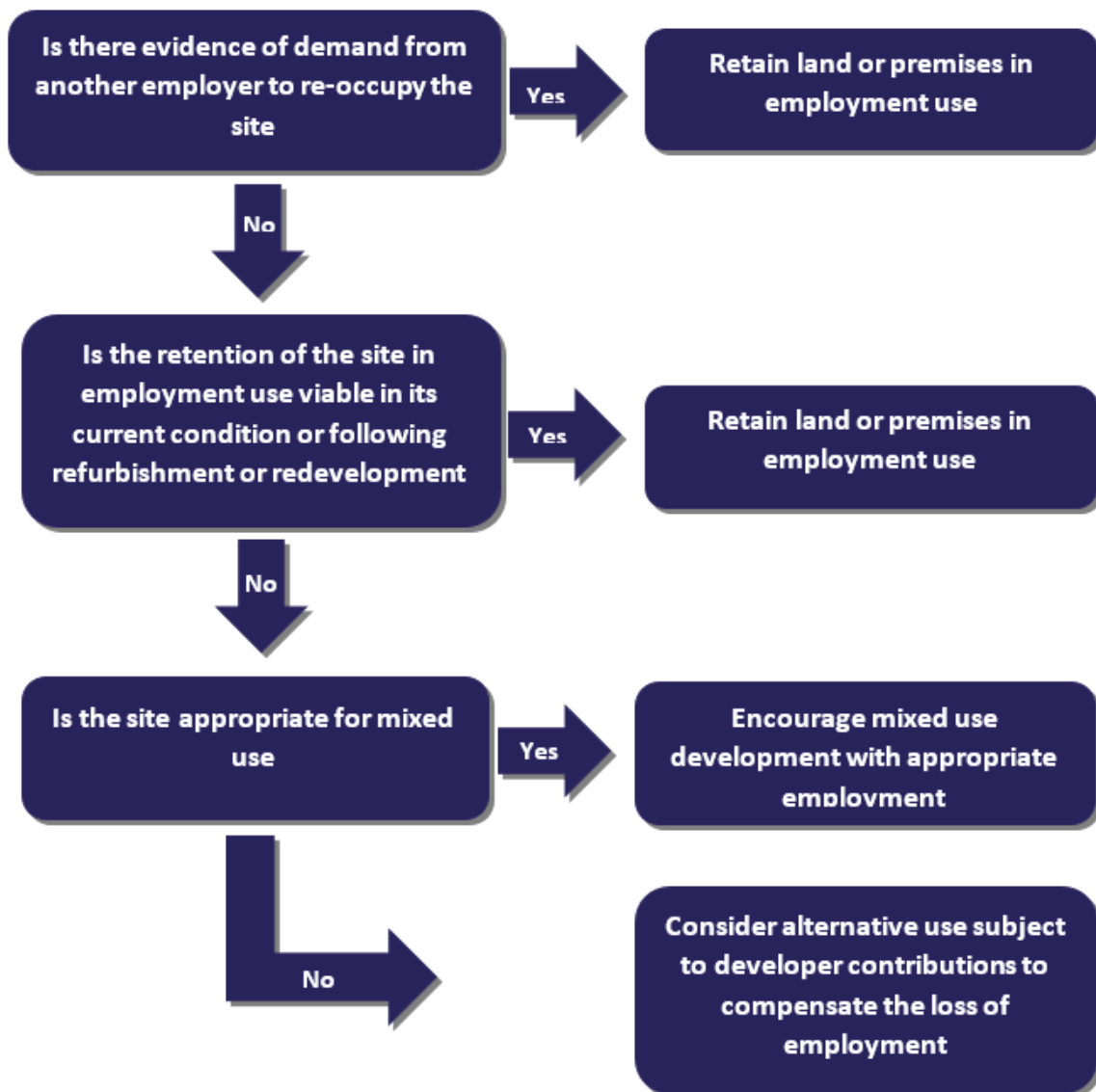
3.3.8 The marketing statement shall also include the following:

- A copy of the dated letter of instruction to the commercial agent and dated copies of the agent's property details should be included in the marketing report.
- The property details (particulars) should as a minimum detail:
 - photographs (internal and external);
 - the type and size of the property or site;
 - address and location information;
 - leasehold rent and / or freehold sale price;
 - the current permitted use and potential employment uses, subject to planning permission;
 - the services that are available;
 - asking price;
 - any restrictions, conditions or covenants;
 - known cost, such as service charges, rateable value;
 - terms / condition associated with the sale and the site tenure;
 - web-based marketing through the appointed commercial agent's website and other relevant search engines;
 - advertising within publications, such as the local press. Dated copies of these advertisements should be included in the marketing report;
 - the continuous display of a for sale/lease board must be displayed on site;

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- 3.3.9 The applicant will firstly be expected to have undertaken a marketing strategy to determine the demand for the site for employment purposes. Until this has been undertaken, change of use or redevelopment to another non-B class use will not be considered. The strategy should be up-to-date and relevant to the current owner of the property not partially carried out by a previous owner or out of date. If demand has been established on a site for employment use, this is taken as evidence of a need to retain the site for such purpose as the land or premises evidently perform a role in meeting economic development requirements.
- 3.3.10 Where demand has not been established, the need to retain a site for employment use will be assessed against a range of criteria, including locational considerations and levels of local unemployment. Criteria for assessing whether land and premises remain well located for employment uses include:
- accessibility to the primary highway network, rail facilities and the port;
 - accessibility by public transport; and
 - proximity to housing or other sensitive uses.
- 3.3.11 Applicants should note that the council may secure independent advice on more complicated sites.
- 3.3.12 In instances where the council considers that the marketing strategy employed has been inadequate, the applicant will be advised that the planning application cannot be recommended for approval. The applicant will have to withdraw the application and further market the site addressing the concerns identified by the Council;

Figure 2: Steps when assessing loss of employment land or buildings.



3.4 Changing to alternative uses

- 3.4.1 If there is no demand for employment land or buildings and the other tests set out in Policy EC 4 of the PS are satisfied, the council advises that applicants should be encouraged to explore the potential for mixed-use development. Mixed use development is a more sustainable approach to larger sites. It helps to reduce the dependence on the private car thereby reducing the carbon footprint of neighbourhoods. It also encourages active and healthy lifestyles and fosters a sense of community often lacking in sites with mono use.
- 3.4.2 Mixed use schemes that include residential accommodation should seek to ensure that the necessary community facilities are accessible or can readily be provided on the site. Contributions may be sought from developers towards the provision of the necessary community facilities.
- 3.4.3 When determining the proportion of the overall site to be developed for employment uses, the council will take account of the employment resource being lost and the potential level of employment that can be achieved within the mixed-use development.
- 3.4.4 In line with best practice, it is advised that prospective developers should approach the council at an early stage in order to enter into pre-application discussions to determine the appropriateness of a site for mixed-use development and the level of employment provision the council may be seeking to achieve.
- 3.4.5 Where a mixed-use approach is pursued, any planning permission will be conditional on a programmed of phasing whereby the delivery of the employment element is linked to the progress of the higher value use.
- 3.4.6 If the site is not suitable for mixed-use development the council will consider the use Developer Contributions to help mitigate the loss of employment uses which is otherwise contrary to planning policy. The nature of the contribution will take account of:
- the type of employment uses being lost;
 - the number of people that could have been employed. The number of displaced employees that would be unable to find new employment;
 - the cost of providing the training and support necessary to enable a person to gain employment; and
 - whether a proposal seeks to retain a significant element of employment land.
- 3.4.7 It is important that economic development land and buildings on zoned employment land are retained and only in exceptional circumstances will the council consider the loss of such land and buildings to other uses.

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