

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 9 FEBRUARY 2012  
title: SAMLESBURY ENTERPRISE ZONE PROPOSED LOCAL DEVELOPMENT ORDER  
submitted by: DIRECTOR OF COMMUNITY SERVICES  
principal author: JOHN MACHOLC – HEAD OF PLANNING SERVICES

## 1 PURPOSE

- 1.1 To inform Planning and Development Committee of the ongoing work in relation to the proposed Local Development Order at Samlesbury and request authorisation for the eventual submission of the final document to the Secretary of State.
- 1.2 Relevance to the Council's ambitions and priorities:
  - Council Ambitions – To support economic growth and delivery of employment land throughout the borough.
  - Community Objectives – To support a vibrant economy.
  - Corporate Priorities – To be a well run and efficient Council.
  - Other Considerations – None.

## 2 BACKGROUND

- 2.1 Committee will be aware of a report taken as a Part II item to the Planning and Development Committee on the 8 December 2011 which gave details of the Enterprise Zone at British Aerospace, Samlesbury and Warton. Members are asked to refer to these original reports for full details. Policy and Finance Committee agreed to support the Enterprise submission in November 2011.
- 2.2 Since the Enterprise Zone submission which was endorsed by Policy and Finance the Government formally approved British Aerospace submission for the Lancashire Enterprise Zone in November 2011.
- 2.3 Ribble Valley, South Ribble, Fylde Borough and Lancashire County Council have been working together to ensure delivery of the Local Development Orders which would assist the Enterprise Zone designation as soon as possible. The target date for the first implementation of the first Local Development Order is 1 April.
- 2.4 The Enterprise Zone has to be operational by April 2012 and it is necessary for a Local Development Order to be in place at this time. The first phase to bring forward some 16 hectares of land that straddles the boundary between South Ribble and Ribble Valley which is serviced and accessed from the main British Aerospace Systems complex. The Regulations stipulate that each Planning Authority must prepare its own Local Development Order and it is clear that for this first phase the Orders will need to be identical on the basis that it straddles the boundaries. Discussions are ongoing with South Ribble Borough Council and Lancashire County Council and BAe in preparing the Local Development Order.

- 2.5 The Government sees the preparation of the Local Development Order as a key component of an Enterprise Zone with the aim of reducing the planning burden. The intention of the Local Development Order is to specify a range of uses subject to conditions that are treated as permitted development and as such not require a planning application. The statutory process for the preparation of a Local Development Order includes a formal public consultation of at least 28 days and a submission to the Secretary of State that includes written responses on any representations that are received. The Secretary of State then has a further 21 days to deal with the submission.
- 2.6 In relation to the first Local Development Order at the Samlesbury site it is intended to focus on development of advance engineering and manufacturing uses and include a non-residential training facility. The proposed draft Local Development Order submitted as Appendix A to this report. I anticipate minor changes to the document prior to formal consultation which also includes a plan showing the area of land identified for the Local Development Order (Parcel A).
- 2.7 In order to safeguard possible concerns the relevant parties have agreed specific conditions which would effectively control the scale of the development including height restrictions, use of materials, as parking, access and other environmental mitigation measures.
- 2.8 I am satisfied that subject to the safeguards that the proposed Local Development Order is acceptable and would facilitate further economic regeneration of the areas.
- 2.9 Where a Local Planning Authority proposes to make a Local Development Order there are various consultation procedures they need to take place. As part of the consultation process residents have been consulted as well as statutory consultees such as the Highways Agency, Natural England, Environment Agency, United Utilities, Lancashire County Council Highway Authority, as well as adjacent Local Planning Authorities will have also been consulted. A meeting has also been scheduled to take place with all the local Parish Councils.
- 2.10 It is necessary to assess any representations that are received however, in order to meet the timescale, it would not be possible to take these representations to a scheduled Planning and Development Committee.

### 3 ISSUES

- 3.1 As indicated previously the primary purpose of a Local Development Order is to remove unnecessary red tape from the planning system with an aim to stimulate economic growth by giving certainty and speeding up the planning process. A Local Development Order would automatically grant planning permission for the types of development specified in a Local Development Order subject to conditions and in doing so remove the need for a planning application to be made. This flexibility can help to encourage economic growth and assist in the regeneration of the local economy.
- 3.2 It is important to include adequate safeguards are stipulated in the Local Development Order to ensure that the development relates to that specified in its Enterprise Zone designation and as such within the category of General Industry relating to Advance Engineering and Manufacturing Businesses. As indicated, I am satisfied that the proposed Local Development Order would still ensure that adequate measures are put in place to prevent inappropriate developments occurring. Members will be aware that as a result of the Local Development Order there would be no planning fees relating to such developments. One of the main safeguards is the need for an approved

Masterplan for the site prior to any significant development taking place on areas where there is no extant consent.

- 3.3 It is important to have regard to any observations or responses that come from residents and consultees but due to the timescale it would not be possible to report these to a future Planning and Development Committee. It is therefore requested that delegation be given to the Director of Community Services and Head of Planning Services in consultation with the Chairman and Vice Chairman of the Planning and Development Committee to assess any responses and make appropriate recommendations to modify the draft Local Development Order if necessary and forward the final document to the Secretary of State for endorsement.

#### 4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – The preparation of the Local Development Order can adequately be resourced from within the department and would be subject to priorities of staff work Lancashire County Council have assisted with a dedicated officer working on the projects. It should also be noted that there would be a significant loss in planning fee as a result of the proposed Local Development Order.
- Technical, Environmental and Legal – The Local Development Order process is statutory and would need to be adhered to.
- Political – The Enterprise Zone is an important designation which has already been supported by the Council and the economic growth of the borough is a key issue.
- Reputation – It is important to meet the timetable in relation to the Government deadline and failure to meet such a timetable could be seen as a poor service.

#### 5 RECOMMENDED THAT COMMITTEE

- 5.1 Endorse the current consultation procedure in relation to the proposed Local Development Order and support the designation of the Local Development Order.
- 5.2 Defer and delegate the agreement of the final version of the Local Development Order and authorise any changes deemed appropriate as a result of the consultation process to the Director of Community Services and the Head of Planning Services in conjunction with the Chairman and Vice Chairman of Planning and Development Committee.

#### DIRECTOR OF COMMUNITY SERVICES

#### BACKGROUND PAPERS

- 1 Agenda Item 16 – Part II item – Enterprise Zone, Planning & Development Committee report dated 8 December 2011.

For further information please ask for John Macholc, extension 4502.