

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 7 NOVEMBER 2013
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 that following the requisite consultation procedures the first Lancashire Advanced Engineering and Manufacturing Enterprise Zone (Samlesbury) Local Development Order No. 1 (2012) was adopted by Ribble Valley Borough Council on 27 March 2012 and by South Ribble Borough Council on 29 March 2012. This LDO is active for a period of three years following the date of its adoption unless it is revoked within this period.
- 2.2 A draft Master Plan for the Samlesbury Enterprise Zone has been prepared by Wilson Mason (consultants commissioned by Lancashire Enterprise Partnership). Members will be aware that reports have been taken to Planning and Development Committee on the 26 September and the 10th of October in relation to the proposed Masterplan. Public consultation on the draft Master Plan commenced on 17 October 2013 and will conclude on 28 November 2013. The Master Plan provides a strategic context for the preparation of this consultation draft LDO and establishes a framework for long-term strategic objectives for the EZ.
- 2.3 Ribble Valley, South Ribble, and Lancashire County Council have been working together to ensure delivery of the subsequent Local Development Orders following the designation of the Samlesbury Enterprise Zone. The draft Lancashire Advanced Engineering and Manufacturing Enterprise Zone (Samlesbury) Local Development Order No. 2 (2013) has been prepared to accord with the draft Master Plan.
- 2.4 The boundary between Ribble Valley Borough Council and South Ribble Borough Council runs through the LDO area. Ribble Valley Borough Council and South Ribble Borough Council intend to jointly undertake a public consultation for 4 weeks on the draft

LDO. The LDO will be finalised having regard to the adopted Master Plan and the representations received during consultation on the LDO.

- 2.5 The Government continues to see 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.
- 2.6 In relation to the proposed Local Development Order at the Samesbury site it is intended to focus on development of advanced engineering and manufacturing uses and include a non-residential training facility. The proposed draft Local Development Order submitted as Appendix A to this report. The purpose of the LDO is to:
1. Authorise development within Class B of the Town and Country Planning (Use Classes) Order 1987 as amended in so far as it is for advanced engineering and manufacturing (defined in Schedule A);
 2. Authorise development that is ancillary, complementary or supporting such purposes;
 3. Authorise development within Class D1 of the Town and Country Planning (Use Classes) Order 1987 as amended for a development of a non residential education and training centre to be used as a Regional Skills Facility; and
 4. Authorise the development of associated infrastructure:
 - temporary development associated with construction works, if the works are not permitted development
 - BAE Systems boundary security fences and gates;
 - land remediation (where required);
 - new access to A677;
 - internal access roads;
 - street lighting;
 - cycling and pedestrian routes;
 - vehicle parking
 - HGV turning areas;
 - foul and surface water drainage infrastructure;
 - utilities infrastructure (telecommunications including superfast broadband, electricity, gas and water), if the works are not permitted development ;
 - CCTV and associated masts; and
 - hard and soft landscaping.
- 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.

- 2.10 It is necessary to assess any representations that are received however, in order to meet the timescale, it may 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 significant planning fees relating to such developments.

- 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 may 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.

JOHN MACHOLC
HEAD OF PLANNING SERVICES

JOHN HEAP
DIRECTOR OF COMMUNITY SERVICES

BACKGROUND PAPERS

- 1 Local Development Order Parcel A Adopted March 2012.
- 2 Masterplan reports dated 26 September 2013 and 10 October 2013.
- 3 Application reference 3/2013/0852/P consultation request for new signalised junction on the A59 submitted by Lancashire County Council.

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

071113/JM/P&D

**THE LANCASHIRE ADVANCED ENGINEERING AND
MANUFACTURING ENTERPRISE ZONE (SAMLESBURY)
LOCAL DEVELOPMENT ORDER NO. 2 (2013)**

**DRAFT STATEMENT OF REASONS AND
LOCAL DEVELOPMENT ORDER**

CONSULTATION DRAFT VERSION

THE LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (SAMLESBURY) LOCAL DEVELOPMENT ORDER NO. 2 (2013)

STATEMENT OF REASONS

THE LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (SAMLESBURY) LOCAL DEVELOPMENT ORDER No. 2 (2013) has been prepared in the strategic context provided by the Master Plan for Samlesbury that establishes a framework for long-term strategic development objectives for the Enterprise Zone. This LDO will replace THE LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (SAMLESBURY) LOCAL DEVELOPMENT ORDER No. 1 (2012) when it is adopted by Ribble Valley Borough Council and South Ribble Borough Council. This LDO will be active for a period of 10 years.

1.1 INTRODUCTION

- 1.1.1 Local Development Orders (LDOs) were introduced in the Planning and Compulsory Purchase Act 2004 and allow local planning authorities to extend permitted development rights for certain forms of development. The Planning Act 2008 removes a former requirement that LDOs should implement policies set out in adopted local development documents.
- 1.1.2 THE LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (SAMLESBURY) LOCAL DEVELOPMENT ORDER No. 1 (2012) was adopted by Ribble Valley Borough Council on 27th March 2012 and by South Ribble Borough Council on 29th March 2012. This LDO is active for a period of three years following the date of its adoption unless it is revoked within this period.
- 1.1.3 A draft Master Plan for the Samlesbury Enterprise Zone has been prepared by Wilson Mason (consultants commissioned by Lancashire Enterprise Partnership). Public consultation on the draft Master Plan commenced on 17th October 2013 and will conclude on 28th November 2013. Following consideration of the representations received, it is anticipated that Ribble Valley Borough Council and South Ribble Borough Council will adopt the Master Plan in December 2013. The Master Plan provides a strategic context for the preparation of this consultation draft LDO and establishes a framework for long-term strategic development objectives for the EZ.
- 1.1.4 The draft LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (SAMLESBURY) LOCAL DEVELOPMENT ORDER No. 2 (2013) has been prepared to accord with the draft Master Plan.
- 1.1.5 The boundary between Ribble Valley Borough Council and South Ribble Borough Council runs through the LDO area. Ribble Valley Borough Council and South Ribble Borough Council intend to jointly undertake a public

consultation for 4 weeks on the draft LDO. The LDO will be finalised having regard to the adopted Master Plan and the representations received during consultation on the LDO. Each Local Planning Authority will be adopting a separate but identical LDO. It is anticipated that Ribble Valley Borough Council will adopt on 16th January 2014 and South Ribble Borough Council will adopt on 15th January 2014. The adopted LDO will facilitate delivery of the Master Plan and guide its implementation. The LDO will be active for a period of 10 years from the day of adoption. Upon adoption, LDO No.1 (2012) will be revoked.

1.1.6 Article 34 paragraph (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 states that 'the statement of reasons shall contain:

- (a) a description of the development which the order would permit; and
- (b) a plan or statement identifying the land to which the order would relate'.

This document is the statement of reasons for making the LDO. A plan identifying the land to which the LDO relates is attached at Appendix 4.

1.2 Background

1.2.1 In Autumn 2011 the Chancellor of the Exchequer granted Enterprise Zone status to Lancashire on BAE Systems Samlesbury and Warton sites, which together form the company's Warton Unit.

1.2.2 The Lancashire Enterprise Zone will become a national focal point for the advanced engineering and manufacturing sector. The Enterprise Zone will support genuine additional growth, creating new businesses and new jobs through a combination of inward investment, specifically the introduction of new Tier 1 companies to the UK securing reinvestment, and the growth of SMEs through technology spin-out businesses and new business starts. The Enterprise Zone will aim to provide the opportunity to create 4,000 to 6,000 high value jobs in the long term and 1,200 jobs in the short to medium term, capitalising on new and emerging market opportunities in the advanced engineering and manufacturing sector. This will strengthen and grow local supply chains through modernisation of the sector in Lancashire and the UK and position Lancashire as a national core of expertise. It is not the intention of the Enterprise Zone to displace existing companies that are already located in Lancashire.

1.2.3 The Lancashire Enterprise Partnership (LEP) will manage and co-ordinate activities related to the Enterprise Zone through an Enterprise Zone Governance Committee in association with the Land Owner to assess each proposed development to ensure that the displacement of existing Lancashire based companies does not occur and that any development is genuine growth in and support to the Advance Engineering and Manufacturing sector. Any Lancashire based companies considering the Enterprise Zone would have to demonstrate that their growth is currently constrained and that locating on the Enterprise Zone would achieve significant growth for their business. Activity

will focus on inward investment. This will further strengthen the UK's advanced engineering and manufacturing capabilities, building upon BAE Systems significant operations in Lancashire as well as the aerospace capabilities in the North West and UK.

- 1.2.4 Key to Lancashire being able to maximise the contribution of its advanced engineering and manufacturing workforce to the Lancashire and national economy will be the availability of a flexible, agile and highly-skilled workforce. It is highly likely that during average working life the existing and new workforce will need to retrain and re-skill more than once to exploit emergent technologies and markets. In support of this, BAE Systems and other partners will seek to establish a skills facility at Samlesbury. This facility will provide and increase the existing provision of modern apprenticeships as well as ensuring a focus on life-long learning for individuals throughout their working life within the sector.

1.3 Why a LDO?

- 1.3.1 Ribble Valley and South Ribble Borough Councils have been working with Lancashire County Council, the Local Enterprise Partnership and BAE Systems regarding the production of a LDO covering advanced engineering and manufacturing (and associated) development at Samlesbury.

- 1.3.2 The purpose of the LDO is to:

- (1) Authorise development within Class B of the Town and Country Planning (Use Classes) Order 1987 as amended in so far as it is for advanced engineering and manufacturing (defined in Schedule A);
- (2) Authorise development that is ancillary, complementary or supporting such purposes;
- (3) Authorise development within Class D1 of the Town and Country Planning (Use Classes) Order 1987 as amended for a development of a non residential education and training centre to be used as a Regional Skills Facility; and
- (4) Authorise the development of associated infrastructure¹:
 - temporary development associated with construction works, if the works are not permitted development
 - BAE Systems boundary security fences and gates;
 - land remediation (where required);
 - new access to A677;

 - internal access roads²;

¹ The LDO authorises development that fall outside the scope of the Town and Country Planning (General Permitted Development Order) 1995 (as amended).

- street lighting;
- cycling and pedestrian routes;
- vehicle parking
- HGV turning areas;
- foul and surface water drainage infrastructure;
- utilities infrastructure (telecommunications including superfast broadband, electricity, gas and water), if the works are not permitted development ;
- CCTV and associated masts; and
- hard and soft landscaping.

1.3.3 Development for purposes described above is automatically within the scope of the LDO. However, advanced engineering or manufacturing purposes which fall outside the definition in Schedule A, or for complementary or supporting or ancillary uses, would potentially also be acceptable, and where such purposes are proposed the local planning authority, following a recommendation of the Enterprise Zone Governance Committee, will make an assessment of each such proposed development to ensure that they are within the permitted uses under the LDO. Depending on the location of the proposed development, notification should be made to either Ribble Valley Borough Council or to South Ribble Borough Council using the Prior Notification of Development Form (Appendix 1). The relevant local authority will confirm in writing within 28 days of receipt of the completed form that:

1. the proposed development is permitted and can proceed without the requirement for a planning application, or
2. whether a separate planning application is required as the proposed development is beyond the scope of the LDO, or
3. whether further information is required, specifying the required details and the reasons for them.

Failure of the local planning authority to respond in writing within the 28 day period will be deemed as confirmation that the proposal is compliant with the provisions of the LDO.

1.3.4 Development outside the scope of the LDO will require the submission of a planning application. The local planning authority will prioritise all proposals for development within the Enterprise Zone.

1.3.5 There are a number of key drivers behind the LDO in that it will:

- provide a comprehensive outline of all development that is permitted in the Enterprise Zone (which is shown on the Plan at Appendix 4 of the LDO), without the need for further planning permission;
- provide for the development of that part of a new access road from A59 within the Enterprise Zone leading to an internal roundabout and the internal road network, without the need for further planning permission;

² A planning application for the new access from A59 and access road up to the boundary of the Enterprise Zone was submitted to Lancashire County Council on 20th September 2013. A decision on the planning application will be made by the Development Control Committee on 27th November 2013.

- enable and facilitate economic development and allow sustainable economic growth to happen rapidly without further planning constraint allowing the developer to react quickly to economic growth opportunities;
- enable the Enterprise Zone to rapidly respond accordingly to the requirements of advanced engineering and manufacturing firms;
- establish a framework for the overall development of the Enterprise Zone, which can promote and communicate a clear policy to stakeholders and potential investors;
- build up confidence in and inform the community of future development in the Enterprise Zone;
- improve investor and occupier clarity, certainty and confidence;
- realise the Enterprise Zone's full economic potential as a major centre for advanced engineering and manufacturing activity;
- reduce the burden on the local planning authority, parish councils and consultees; and
- demonstrate a positive approach to planning.

1.4 LDO Process

- 1.4.1 The process governing the preparation and implementation of LDOs is set out in guidance contained in DCLG Circular 01/2006 *'Guidance on Changes to the Development Control System'*³. The image (Appendix 2) provides a summary of the process to be followed.

1.5 Development within the Enterprise Zone

- 1.5.1 The LDO, which will facilitate delivery of the Master Plan and guide its implementation, provides an opportunity to permit development across the Enterprise Zone in line with Classes B and D1 of the Town and Country Planning (Use Classes) Order 1987 as amended in so far as Class B is for the purposes of advanced engineering and manufacturing and Class D1 is for the development of a non residential education and training centre to be used as a Regional Skills Facility. The LDO is contained in Appendix 3.
- 1.5.2 The delivery of the Samlesbury Enterprise Zone site will be undertaken in 3 phases⁴ preceded by enabling works. Phasing development will ensure that at each stage development plots and buildings will be accompanied by the strategic and localised infrastructure required of a high quality well functioning sustainable site. All phases will integrate with each other to ensure that the site

³ This circular is amended by virtue of section 188 of the Planning Act 2008 and associated changes to the Town and Country Planning (General Development Procedure) Order 1995. These remove the requirement that Local Development Orders must implement local development plan policies. The circular is also amended by the Growth and Infrastructure Act 2013, which removes the need for the Secretary of State for Communities and Local Government to approve local development orders.

⁴ Development at the most northerly and easterly edge of the Enterprise Zone site may be considered in future if land or buildings in that area become available.

will operate as a cohesive whole and form an asset within its surroundings and the wider area.

- 1.5.3 The LDO is designed to be flexible and responsive to change, but it is not open-ended and has a number of conditions which need to be discharged by the relevant local planning authority. Development is permitted by the LDO provided that the following conditions are met:

Development within the Enterprise Zone

- (1) Development is permitted by the LDO falling within Use Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) for advanced engineering and manufacturing (defined in Schedule A). Prior to the commencement of development the developer shall provide copies of plans to the local planning authority for information.
- (2) Development is permitted by the LDO falling within Use Class DI of the Town and Country Planning (Use Classes) Order 1987 (as amended) for a non residential education and training centre to be used as a Regional Skills Facility. Prior to the commencement of development the developer shall provide copies of plans to the local planning authority for information.
- (3) Development for advanced engineering or manufacturing purposes or for ancillary, complementary or supportive uses which fall outside the definition in Schedule A referred to in Condition 1 is permitted by the LDO, provided that full details and plans of the proposed development shall be submitted to the Council using the Prior Notification Form. No development shall commence until the Council, advised by the Enterprise Zone Governance Committee, has confirmed that the proposed development falls within the scope of this Order or the expiry of 28 days from the submission of the Prior Notification Form, whichever is the sooner.
- (4) Development shall take place in accordance with the principles set out in the Master Plan.
- (5) Prior to the commencement of works, that part of the site subject to works shall be assessed for contamination and managed appropriately in accordance with Environment Agency, DEFRA and local authority guidelines on contaminated land management. This will include identifying, investigating and mitigating contamination.
- (6) A scheme for the disposal of foul and surface waters for each stage of the proposed development shall be submitted by the developer to the Local Planning Authority for approval. The Local Planning Authority shall respond within 28 days of receiving the details of the drainage arrangements and if no response is received from the Local Planning Authority within this 28 day period the arrangements shall be deemed to be approved.

- (7) Access arrangements for proposed development under the LDO shall be submitted by the developer to the local planning authority for approval (in consultation with the local highway authority) and the development shall proceed in accordance with the approved details. The local planning authority shall respond within 28 days of receiving the details of the access arrangements and if no response is received from the local planning authority within this 28 day period then the arrangements shall be deemed to be approved.
- (8) The new access from A677 shall be developed when the trigger in the Master Plan is reached.
- (9) All highway works on and off site shall be implemented pursuant to appropriate agreements entered into under the Highways Act 1980 and in accordance with details and any mitigation measures submitted to and approved by the local planning authority in consultation with the local highway authority.
- (10) Construction vehicles associated with development will be managed. Management provisions will include endeavouring not to enter or leave the site during peaks of the local network or peaks of the existing BAE Systems site. Construction vehicles must not wait on the local highway network prior to accessing the site.
- (11) Measures to avoid, to mitigate or to compensate for any likely ecological impacts shall be submitted by the developer to the Local Planning Authority for approval. The Local Planning Authority shall respond within 28 days of receiving the details and if no response is received from the Local Planning Authority within this 28 day period then the assessment shall be deemed to be approved. The development shall be carried out in accordance with the approved details.
- (12) Any required programme of archaeological works will be carried out in accordance with a written scheme of investigation and shall be submitted by the developer to the Local Planning Authority for approval. The Local Planning Authority shall respond within 28 days of receiving the written scheme of investigation and if no response is received from the Local Planning Authority within this 28 day period then the assessment shall be deemed to be approved. The development shall be carried out in accordance with the approved details.

1.6 Environmental Impact Assessment

- 1.6.1 Regulation 29 of the Town and Country Planning (Environmental Impact Assessment) Regulations (Statutory Instrument 2011/1824) applies in relation

to Schedule 2 development for which a local planning authority propose to grant planning permission by LDO.

- 1.6.2 A request for EIA Screening Opinions was made by BAE Systems to Ribble Valley and South Ribble Borough Councils on 27th September 2013 to establish whether an Environmental Impact Assessment is required in respect of development in the Enterprise Zone. Ribble Valley Borough Council issued a Screening Opinion on 18th October 2013 stating that an Environmental Impact Assessment is not required. South Ribble Borough Council issued a Screening Opinion on (tbc) stating that an Environmental Impact Assessment (is / is not – tbc) required.

1.7 How does the LDO relate to other planning documents?

Ribble Valley District wide Local Plan (adopted June 1998)

- 1.7.1 Policy EMP8 (Extensions and Expansions) permits the expansion of established firms on land outside main settlements provided it is essential to maintain the existing source of employment and is not contrary to other policies in the Local Plan.

Ribble Valley Submission Draft Core Strategy (September 2012)

- 1.7.2 Key Statement EC1 (Business and Employment Development) identifies the BAE Samlesbury site as a regionally significant employment site with considerable potential to accommodate a variety of advanced knowledge based industries in the future. This has been recognised by the Government's proposal to create an Enterprise Zone at this location. The Council will support the delivery of the Enterprise Zone and has produced a Local Development Order to achieve this.
- 1.7.3 Policy DMG2 (Strategic Considerations) requires development to be compatible with the Enterprise Zone designation.

South Ribble Local Plan (adopted February 2000)

- 1.7.4 Policy EMP8 (Land at Samlesbury Aerodrome) permits development of the land within the limits of the British Aerospace complex at Samlesbury Aerodrome in connection with the company's Aerospace Division Activities.

Central Lancashire Local Development Framework Adopted Core Strategy (July 2012)

- 1.7.5 Policy 9: Economic Growth and Employment identifies Samlesbury as a location for regionally significant employment.

South Ribble Borough Council Submission Draft Site Allocations and Development Management Policies Development Plan Document (as modified) (June 2013)

- 1.7.6 Within this document Policy C5 – BAE Systems Samlesbury was intentionally left blank as the Council were awaiting information on the Enterprise Zone bid that was submitted for the site. Following the grant of Enterprise Zone status by the government, the Council has consulted on Policy C5 which protects the strategic designation of the site including the BAE Systems site core area and its operations, and supports the delivery of the Enterprise Zone.

Consultation Draft Samlesbury EZ Master Plan (September 2013)

- 1.7.7 The Consultation Draft Master Plan provides a strategic context for the preparation of this consultation draft LDO and establishes a framework for long-term strategic objectives for the Enterprise Zone. Public consultation on the draft Master Plan commenced on 17th October 2013 and will conclude on 28th November 2013. Following consideration of the representations received, it is anticipated that Ribble Valley Borough Council and South Ribble Borough Council will adopt the Master Plan in December 2013. Preparation of the final LDO will take account of the final Master Plan.
- 1.7.8 The Master Plan addresses the following matters:
- Provision and coordination of transport infrastructure within and beyond the Enterprise Zone boundary.
 - Preparation and provision of a Travel Plan.
 - Access to the Enterprise Zone and its integration to the existing public highway network and proposals for on site/off site works required as a result of the development.
 - On site parking.
 - Protection of BAE Systems' core operations.
 - Provision of utilities supply and integration of new supplies with the existing.
 - Provision of superfast broadband outside the BAE Systems secure area.
 - Implementation of a Design Code, building materials etc.
 - Provision of on-site structural landscaping.
 - Avoidance of ecological impacts, measures to offset unavoidable ecological impacts, the delivery of biodiversity enhancements, the maintenance and enhancement of habitat connectivity and buffer zones around habitats of ecological importance.⁵

⁵ Prior to adopting the Master Plan, the Local Planning Authority will need to have regard for the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended) in terms of potential impacts on European protected species and their habitat. Any necessary supporting information (A59 Extended Phase 1 Survey, summary of ecological interest, RAMS (Great Crested Newts) will need to be submitted to the Local Planning Authority before the Master Plan can be approved.

- Provision of drainage.

1.7.9 This LDO does not revisit the aspirations and overall conclusions of the Master Plan, but instead will act as a tool to facilitate delivery and to guide its implementation.

1.8 Other Statutory Requirements

1.8.1 Whilst the LDO grants planning permission for certain types of development, it will remain the responsibility of the developers to ensure that all other statutory requirements beyond the scope of the planning system are adhered to.

1.8.2 The LDO does not remove the requirement for consent obtainable under other legislation such as Building Regulations, Hazardous Substances Consent or Advertisement Consent, and licences from bodies such as Natural England.

1.9 Area Covered by LDO

1.9.1 The LDO has been prepared to cover all land within the Enterprise Zone at the Samlesbury site (72.5 hectares).

1.10 Consultation on the LDO

1.10.1 A fundamental principle of LDOs is that they represent a partnership approach to development management. This requires an approach to consultation which seeks support for the concept of the LDO and its objectives, both among the direct participants; the communities affected; and wider stakeholders.

1.10.2 As part of the preparation of this LDO the following consultation arrangements were put in place:

- The draft LDO, a plan and the statement of reasons were placed on the websites of Ribble Valley and South Ribble Borough Councils. Consultation will be undertaken from 14th November 2013 until 12th December 2013 (28 days).
- Following the expiry of the consultation all responses will be recorded, analysed and assessed in a Statement of Community Involvement report which will inform the preparation of the adoption version of the LDO.

1.11 Structure of LDO

1.11.1 The LDO sets out, for Classes B (including ancillary uses) and D1 of the Town and Country Planning (Use Classes) Order 1987 as amended:

- Development to be permitted by the LDO
- Development falling outside the scope of the LDO and, therefore requiring the submission of a planning application.

- Conditions pertinent to all specified Classes.

2. SUMMARY OF THE LOCAL DEVELOPMENT ORDER

2.1.1 The LDO seeks to grant permission for development for advanced engineering and manufacturing uses; ancillary, complementary and supporting uses, and associated infrastructure (including temporary development associated with construction works) in the Enterprise Zone subject to a number of conditions.

Schedule A

"Advanced engineering and manufacturing" is defined as falling within the following SIC Codes:

- Aerospace (30.3, 28.4)
- General Aviation Services (52.23)
- High-end automotive including motorsport, electric/alternative energy vehicles, (29.1, 29.3)
- Computing, systems engineering and autonomous systems (62.01, 72.1)
- Nuclear (35.1)⁶
- Advanced flexible materials (13.96, 20.6)
- Renewable Energy (27.1).

⁶ The use of the land for the production, enrichment, storage, or disposal of nuclear fuel, falls within Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations (Statutory Instrument 2011/1824) and would, therefore, fall outside the remit of this Local Development Order.

PRIOR NOTIFICATION FORM

To include:

Ribble Valley Borough Council / South Ribble Borough Council

(Contact details and link to relevant LPA website to download form)

The Lancashire Advanced Engineering and Manufacturing Enterprise Zone (Samlesbury) Local Development Order No. 2 (2013): Prior Notification of Development

Purpose of Form
(Explanation)

Section 1: Contact Details
Developer and / or Agent

Section 2: The Development Proposal
Description of Development:

- buildings and/or structures (including use class)
- details of associated infrastructure
- location of development in the Enterprise Zone

Section 3: Justification
(Explanation why the proposed development is justified for an advanced engineering and manufacturing use falling outside the definition in Schedule A, or for an ancillary, complementary or supporting use to the principal purpose of the Enterprise Zone)

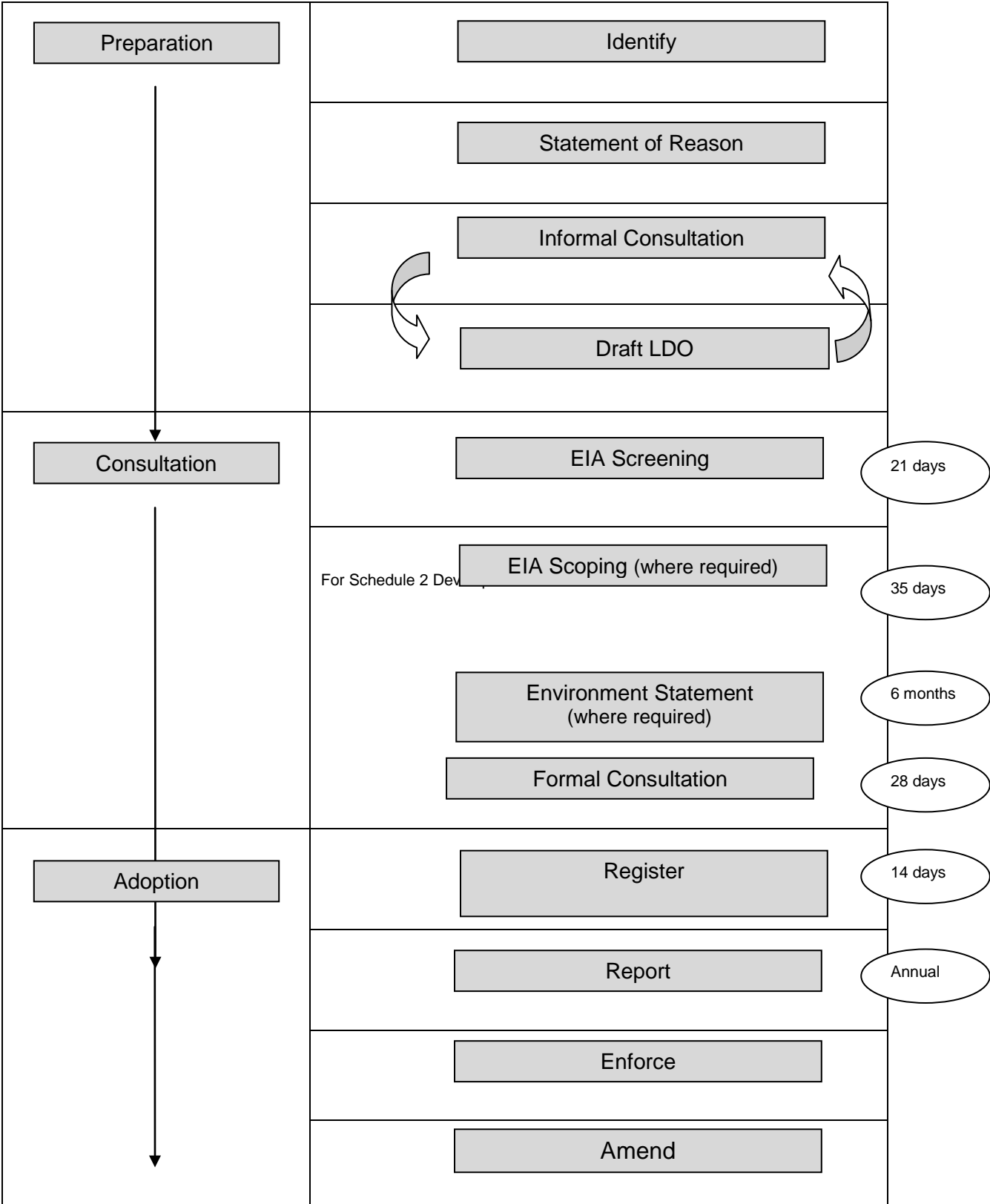
Section 4: Declaration

Instruction to send form electronically to Lancashire Enterprise Partnership (link)

Section 5: LEP advice and recommendation

Section 6: Relevant LPA determination

APPENDIX 2



THE LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (SAMLESBURY) LOCAL DEVELOPMENT ORDER NO. 2 (2013)

Lifetime of the LDO and Options following its Expiry

The LDO, and the terms within it, will be active for a period of 10 years following the day of its adoption, and will expire following this period. However, the LDO may be revoked within this period if a replacement LDO for the site is advanced and adopted during that period.

Development which has started under the provisions of the LDO will be allowed to be completed in the event that the LDO is revoked, revised or expires.

Options following its expiry:

- (a) Renew with no revisions; or
- (b) Renew with new terms and conditions.

The LDO does not remove the requirement for consent obtainable under other legislation such as Building Regulations, Hazardous Substances Consent or Advertisement Consent, and licences from bodies such as Natural England.

The LDO does not prevent development taking place which is not covered by the LDO. Where such development is proposed then a planning application will be required. Furthermore the LDO does not prevent development taking place under any existing planning permission, nor does it prevent future applications being made in respect of the area covered by it.

Development Permitted by this LDO

- (1) The carrying out of development (including the erection or alteration of a building) within Use Class B for the purposes of advanced engineering and manufacturing
- (2) The carrying out of development (including the erection or alteration of a building) ancillary to, complementary to, or supporting such purposes;
- (3) The carrying out of development (including the erection or alteration of a building) within Use Class D1 for the purposes of a non residential education and training centre.
- (4) Authorise the development of associated infrastructure:
 - temporary development associated with construction works, if the works are not permitted development
 - BAE Systems boundary security fences and gates;
 - land remediation (where required);
 - new access to A677;

- internal access roads⁷;
- street lighting;
- cycling and pedestrian routes;
- vehicle parking
- HGV turning areas;
- foul and surface water drainage infrastructure;
- utilities infrastructure (telecommunications including superfast broadband, electricity, gas and water), if the works are not permitted development ;
- CCTV and associated masts; and
- hard and soft landscaping.

Development is not permitted:

Development is not permitted by the LDO:

1. If it falls within Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations (Statutory Instrument 2011/1824);
2. If it is not for the purposes of advanced engineering or manufacturing (defined in Schedule A) or a Regional Skills Facility or is deemed not to be permitted development by the Enterprise Zone Governance Committee.

Conditions

- (1) Development is permitted by the LDO falling within Use Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) for advanced engineering and manufacturing (defined in Schedule A). Prior to the commencement of development the developer shall provide copies of plans to the local planning authority for information.
- (2) Development is permitted by the LDO falling within Use Class DI of the Town and Country Planning (Use Classes) Order 1987 (as amended) for a non residential education and training centre to be used as a Regional Skills Facility. Prior to the commencement of development the developer shall provide copies of plans to the local planning authority for information.
- (3) Development for advanced engineering or manufacturing purposes or for ancillary, complementary or supportive uses which fall outside the definition in Schedule A referred to in Condition 1 is permitted by the LDO, provided that full details and plans of the proposed development shall be submitted to the Council using the Prior Notification Form. No development shall commence until the Council, advised by the Enterprise Zone Governance Committee, has confirmed that the proposed development falls within the scope of this Order or the expiry of 28 days from the submission of the Prior Notification Form, whichever is the sooner.

⁷ A planning application for the new access from A59 and access road up to the boundary of the Enterprise Zone was submitted to Lancashire County Council on 20th September 2013. A decision on the planning application will be made by the Development Control Committee on 27th November 2013.

- (4) Development shall take place in accordance with the principles set out in the Master Plan.
- (5) Prior to the commencement of works, that part of the site subject to works shall be assessed for contamination and managed appropriately in accordance with Environment Agency, DEFRA and local authority guidelines on contaminated land management. This will include identifying, investigating and mitigating contamination.
- (6) A scheme for the disposal of foul and surface waters for each stage of the proposed development shall be submitted by the developer to the Local Planning Authority for approval. The Local Planning Authority shall respond within 28 days of receiving the details of the drainage arrangements and if no response is received from the Local Planning Authority within this 28 day period the arrangements shall be deemed to be approved.
- (7) Access arrangements for proposed development under the LDO shall be submitted by the developer to the local planning authority for approval (in consultation with the local highway authority) and the development shall proceed in accordance with the approved details. The local planning authority shall respond within 28 days of receiving the details of the access arrangements and if no response is received from the local planning authority within this 28 day period then the arrangements shall be deemed to be approved.
- (8) The new access from A677 shall be developed when the trigger in the Master Plan is reached.
- (9) All highway works on and off site shall be implemented pursuant to appropriate agreements entered into under the Highways Act 1980 and in accordance with details and any mitigation measures submitted to and approved by the local planning authority in consultation with the local highway authority.
- (10) Construction vehicles associated with development will be managed. Management provisions will include endeavouring not to enter or leave the site during peaks of the local network or peaks of the existing BAE Systems site. Construction vehicles must not wait on the local highway network prior to accessing the site.
- (11) Measures to avoid, to mitigate or to compensate for any likely ecological impacts shall be submitted by the developer to the Local Planning Authority for approval. The Local Planning Authority shall respond within 28 days of receiving the details and if no response is received from the Local Planning Authority within this 28 day period then the assessment shall be deemed to be approved. The development shall be carried out in accordance with the approved details.

- (12) Any required programme of archaeological works will be carried out in accordance with a written scheme of investigation and shall be submitted by the developer to the Local Planning Authority for approval. The Local Planning Authority shall respond within 28 days of receiving the written scheme of investigation and if no response is received from the Local Planning Authority within this 28 day period then the assessment shall be deemed to be approved. The development shall be carried out in accordance with the approved details.

Interpretation

The purpose of the LDO is to authorise development within Class B of the Town and Country Planning (Use Classes) Order 1987 as amended in relation to advanced engineering and manufacturing and ancillary uses; to authorise development within Class D1 of the Town and Country Planning (Use Classes) Order 1987 as amended for the purposes of providing a non-residential educational and training centre; and to authorise the development of associated infrastructure.

APPENDIX 4 – Map of Lancashire Enterprise Zone (Samlesbury)

