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INTRODUCTION

- 1 As part of the coalition Government's growth agenda, the Chancellor of the Exchequer announced plans to stimulate economic growth through a new wave of Enterprise Zones (EZ), one of which would be located in the North Eastern Local Enterprise Partnership (LEP) area.
- 2 The Government's approach to the 'new generation' of EZ is based on a combination of financial incentives and simplified planning procedures. In the case of the North Eastern LEP, financial incentives are largely applicable through enhanced capital allowances and Business rate discounts to attract significant inward investment particularly amongst those companies with considerable plant & machinery requirements.
- 3 The format of the North Eastern EZ was agreed between the North Eastern LEP and the Government in August 2011.
- 4 The rationale behind the North Eastern EZ supports the LEP's vision by seeking to capture benefits from the development of a low carbon economy and capitalising on the locational advantages of the LEP area.
- 5 As a consequence the EZ is intended to support the delivery of and investment in the area's key low carbon sectors, namely offshore wind energy in the case of Newcastle upon Tyne, North Tyneside and Blyth, and ultra low carbon vehicles and advanced manufacturing in the case of Sunderland. Given the importance of Nissan to Sunderland and its foresight in developing low carbon vehicle technology, the Sunderland EZ, has been located at three sites all in close proximity to Nissan's car plant. Since the formalisation of the North Eastern EZ in August 2011, there have been a number of changes to the boundaries of the EZ in Sunderland, with the sites being finalised in January 2012. A location plan identifying all three sites can be found at Appendix 1.
- 6 EZ status is conditional upon simplified planning procedures being implemented on these sites. The adoption of a Local Development Order (LDO) is considered to be the most appropriate form of simplified planning for the North Eastern EZ. This will reduce cost burdens on developers, enable development to take place more efficiently and provide greater certainty to occupiers and developers over what is permissible.
- 7 LDOs enable development to take place without the requirement for planning permission to be obtained prior to commencement. This is on the provision development is carried out in accordance with the established guidance and conditions set out within the LDO. Should development not accord with the Order, prospective developers will be required to pursue the normal route of obtaining full planning permission.
- 8 In the interests of ensuring timely delivery Sunderland City Council will bring forward two separate LDOs. This, the first of two LDOs relates to a substantial 23.5 hectare site known as Turbine Park and a smaller 6.5 hectare area of land to the east – The Vehicle Test Centre site. The second LDO will be brought forward later in

2012 and relates to an area of land known as Hillthorn Farm, to the west, adjacent to the Leamside railway line (non-operational).

Purpose of the North Eastern Enterprise Zone

- 9 The North Eastern LEP has set out the vision for the area to become *'Europe's premier location for low carbon, sustainable, knowledge-based private sector-led growth and jobs.'*
- 10 In achieving this vision the LEP aims to be recognised as the European leader in the low carbon economy in the production of electric vehicles offshore wind and renewable energy industries.
- 11 The rationale behind the North Eastern EZ is to build upon the locational advantages and critical assets of the LEP area through supporting investment in moving towards a low carbon economy, specifically in relation to offshore wind energy and ultra low carbon vehicles.
- 12 The offshore wind, renewable energy and low carbon vehicles sectors are subject to global competition. The EZ will therefore help to secure a competitive advantage in attracting inward investment through the provision of financial incentives and a simplified planning regime.
- 13 Within the Sunderland EZ only businesses that operate within the Ultra Low Carbon Vehicles or Advanced Manufacturing sectors will be allowed to take advantage of the Enhanced Capital Allowances, Business Rate Discounts and streamlined planning regime in addition to a small level of ancillary service use (Use Classes A1-A5, C1 and D2) to complement the operation of the wider employment site. A definition of these business sectors is provided in Part 3 of this document. It will be at the discretion of the Local Enterprise Partnership board, in consultation with the Local Planning Authority to determine whether a proposed business is deemed to fall within the appropriate sectors.

The Local Development Order

- 14 The Enterprise Zone Prospectus, produced by DCLG in March 2011 states that Enterprise Zone status is conditional upon putting in place a genuinely simplified approach to planning. Whilst the Government has provided freedom for LEPs to determine their own forms of simplified planning, in general the most appropriate form will be through the use of Local Development Orders (LDOs). Sunderland City Council intends to adopt two Local Development Orders; an LDO for Turbine Business Park and the Vehicle Test Centre site and a separate LDO for Hillthorn Farm. (see Appendix 1).
- 15 LDOs were first established within the 1990 Town & Country Planning Act (Section 61 A-D and Schedule 4A).
- 16 Further revisions to the legislation on LDO's were provided within:
 - Planning and Compulsory Purchase Act 2004;
 - Section 188 of the Planning Act 2008
 - Town & Country Planning (Development Management Procedure) (England) Order 2010.
- 17 LDO's grant planning permission for the development specified within the Order and consequently remove the requirement for a developer to submit an application for planning permission. LDO's may include conditions and limitations to ensure sustainable development which developers will need to conform to in order to avoid the need for going through the normal planning application process.
- 18 It should be noted that the LDO does not cover forms of development already permitted by the General Permitted Development Order (1995) (and its subsequent amendments). LDO's are not a withdrawal of planning control on the basis that impacts from the developments specified are insignificant, but in fact are to be utilised where it is considered that an LDO approach would provide an effective and alternative decision making tool to the standard Development Management process.
- 19 LDO's do not remove the need to obtain other statutory consents such as Building Regulations approval, Highways Legislation, Listed Building Consent, Health and Safety Executive consents.
- 20 The key advantages to prospective developers include reduced costs through the removal of planning fees, a high degree of certainty as development that accords with the LDO does not require planning permission, and associated time savings through not having to engage in the normal planning process.
- 21 Development that does not accord with the LDO may still be acceptable, but would need to be determined via the normal planning consent procedures and therefore accord with the local plan.

PART 1: ULTRA LOW CARBON VEHICLE AND ADVANCED MANUFACTURING CORRIDOR

- 1.1 The EZ within Sunderland comprises three sites, totalling 42.9 Hectares located between the urban settlements of Sunderland and Washington. (see Appendix 1). This LDO concerns the two adjoining sites located to the south of the Nissan car plant, Turbine Park (site 1, 23.5 hectares of which part currently benefits from outline planning permission) and the Vehicle Test Centre site (site 2, 6.5 hectares). A subsequent LDO will be adopted for the third site - Hillthorn Farm

General Site Description

- 1.2 In combination, Turbine Park and the Vehicle Test Centre site equates to an area of 30 hectares.

Site 1

- 1.3 Site 1 (Turbine Park) is the substantially larger of the two with an area of 23.5 hectares and is situated to the south of the Nissan test-track. The site is owned by Barmston Developments Ltd. The site is grassland in character, with a single lane access-track running along its northern edge where it adjoins the Nissan Test Track. Vehicular access to the site is taken from Nissan Way to the west. It should be noted that this site also has an extant planning permission, granted on 13 December 2010 for a variety of uses including:

- 54,349 square metres of office/industrial floorspace (Use Classes B1/B2/B8)
- 11,149 square metres of hotel and leisure (Use Classes C1 and D2)
- 929 square metres of ancillary retail (Use Classes A1-A5 with a maximum of 450 square metres per unit).

- 1.4 Consent was also granted for the creation of associated access, and infrastructure, including stopping up of footpath and change of use to industrial/commercial development, and creation of new bridleway. This consent expires on 13 December 2015. Further details on this application can be found through Sunderland City Council's Public Access webpage here: <http://www.sunderland.gov.uk/online-applications/search.do?action=simple&searchType=Application>.

- 1.5 A reserved matters Planning application relating to the above applications has been approved for the erection 39,165 sq m B8 warehouse facility and associated infrastructure. Further details on this application can be found here: <http://www.sunderland.gov.uk/online-applications/simpleSearchResults.do;jsessionid=6C9E70C2D798FE6E66A9B1221AE4EE87?action=firstPage>

- 1.6 Some preparatory work has already been undertaken on site, including plot levelling and infrastructure works, including the first leg of a new access / spine road and the provision of services.

Site 2

- 1.7 Site 2 (Vehicle Test Centre site) comprises 6.5 hectares situated to the north east of the Nissan Test-Track and to the south of the main Nissan car plant. It is owned by Nissan Motors UK. The site sits in an elevated position above the A19. Currently, the site contains a low carbon vehicle test-centre facility / workshop with the remainder being scrubland.
- 1.8 The site is more undulating in nature and at the time of writing requires preparatory works in order to facilitate development. It should be noted that both sites have steep embankments to some fringes.

Existing Infrastructure

1.9 Transport Access

- **Road**

The Sunderland EZ site is located immediately to the north of the A1231 adjacent to a key junction with the A19 (linking to North Tyneside and North Yorkshire). The A1 is located four miles to the west providing connection to Edinburgh and London and the A1290 to the north of the EZ site serves as an important road connecting Washington town centre, Nissan and the A19.

- **Sea**

Port access is available at Sunderland to the east of Sunderland City Centre. The Port of Tyne also lies within close proximity, off the A19 with Tyne Distribution Centre located on the north side of the Tyne and the Tyne Car Terminal on the south side.

- **Air**

Domestic and International connections are available at Newcastle International Airport (18 miles north west).

- **Rail**

The nearest train station is at Sunderland (6 miles to the east) which has direct connections with Newcastle, Middlesbrough and London. Rail connections are also available at Chester-le-Street and Durham.

- **Cycling**

The C2C cycle route skirts the southern edge of the Enterprise Zone and provides cycle access to Sunderland and Washington.

- **Bus**

Connections are also available within close proximity. Services 50 (South Shields-Durham half hourly) and 56 (Newcastle-Sunderland every 10 minutes) both have frequent services and stop within walking distance.

- **Internal connections**

A spine road from Nissan Way has been created through part of Turbine Park to assist the development of the site. Access to site two requires further consideration as the existing access arrangement through the Nissan complex is unlikely to remain available to serve additional development. An alternative means of access via Turbine Park is likely to be required. Communication at an early stage with the landowners (Barmston Developments and Nissan) and the City Council's Highway Engineers is strongly recommended.

Utilities Provision

- 1.10 It is recommended that developers contact the relevant utility provider when designing a new development, contact details can be found on pages 21-22.

Development Considerations

- 1.11 The LDO sites are subject to a number of development considerations as set out below; these will inform the development requirements set out in Part 3.

Residential Amenity

- 1.12 Neither of the sites are unduly constrained by the presence of residential properties. Castletown, the nearest concentration of dwellings is situated around 600 metres to the north east of site 2 and is physically separated by the A19 and Sunderland Enterprise Park which act both as visual and noise barriers. The settlement of South Hylton is sited around 800m to the south east of site 1.
- 1.13 To the south east of the settlement of Pennywell panoramic views can be had over the Nissan site. Pennywell is situated at around 80m above sea level, considerably higher than Site 1 Turbine Park, which is around 30-35m above sea level. Further information on key views can be found on P.13.
- 1.14 To the south of Turbine Park there are two farmsteads, Low Barmston Farm (270m) and High Wood Farm (450m). These are separated by the A1231 which again acts as a visual and sound barrier from development. It is important to note that a public/private right of way is shared on Site 1 (Turbine Park) with Low Barmston Farm which will need to be considered as part of any development proposal.

Health & Safety Executive Consultation Zone

- 1.15 No part of the site lies within an identified Health and Safety Executive Consultation Zone.

Contamination

- 1.16 The potential for contamination will need to be considered. Developers should address potential risks to nearby controlled waters from contamination at the site, following the Environment Agency's 'Guiding Principles for Land Contamination.'
- 1.17 Developers should also:
- Follow the risk management framework provided in Environment Agency CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
 - Refer to the Environment Agency Guiding Principles for Land Contamination for the type of information required in order to assess risks to controlled waters from the site. Developers should seek advice from the Local Authority on risk to other receptors e.g. human health.
 - Please refer to the Environment Agency's website www.environment-agency.gov.uk for further information.

Ecology

- 1.18 There are records of protected species around the site, specifically Great Crested Newts and Watervoles at Hylton Plantation and Peepy Plantation, both identified as Sites of Nature Conservation Importance (SNCIs) to the north of the Nissan test track and within close proximity of the boundary of the LDO.

Archaeology

- 1.19 No further archaeological work is required on site 1, due to the work already undertaken as part of the original planning application for the Turbine Business Park in 2007 (reference 07/05007/REM).
- 1.20 There is potential for buried archaeological remains on site 2 as this has not been fully developed or been the subject of a major planning application.
- 1.21 Prehistoric remains are known from Hylton Grange (north-east of the A1231/A19 roundabout) being the potential location of a ring-ditch (indicated in aerial photography dating from 1971) and Mesolithic (10000 to 4000 BC) flint tools have been found in the area. The main archaeological interest at the Nissan site is RAF Usworth (later Sunderland Aerodrome).
- 1.22 Developers will be expected to carry out the necessary archaeological investigations at site 2 to be agreed with the Local Planning Authority.

Built Heritage

- 1.23 There are no buildings of historic merit that need to be taken into consideration within the LDO area.

Flooding

- 1.24 The EZ is situated entirely within Flood Zone 1 and therefore at low risk of fluvial / tidal flooding. However, as identified within the Sunderland Strategic Flood Risk Assessment there is a recognised high risk of surface water flooding and a risk of groundwater flooding. Any large scale development could potentially increase surface water run-off and flood risk within the area.
- 1.25 Surface water drainage assessments will be required for each site demonstrating that surface water run-off from new development will not increase flood risk either on-site or elsewhere and where possible reduced. A Sustainable Urban Drainage system (SUDs) approach should be applied. In addition any development over **1ha** will require a flood risk assessment.

Coal

- 1.26 Parts of site 1 lie within a Coal Referral area. These are areas based upon Coal Authority records, where the potential land stability and other safety risks associated with former coal mining activities are likely to be greatest. Therefore in accordance with Coal Authority legislation prior to any development taking place within these areas a Coal Mining Risk Assessment will need to be submitted to the council for consultation.

Key views

- 1.27 Both sites 1 and 2 lie within the sightlines of a several important long distance and panoramic views of the city. The site is highly prominent when viewed from South Hylton, from Penshaw Monument and the Penshaw/Pallion Way Multi-user route. The development requirements in this LDO set clear parameters in order to ensure that these views will be protected from overly intrusive development.

Planning History

- 1.28 As referenced above Turbine Business Park (site 1) has been the subject of a number of planning permissions in recent years. A full list of applications relating to the two sites is contained within Appendix 2.

Proposed Occupiers

- 1.29 The site around Nissan has long been recognised as critical to employment within Sunderland. The City Council's Unitary Development Plan 1998 reflects this in allocating the sites as employment land for offices, research & development, light industry, general industry, warehouses and storage (Use Classes B1, B2 and B8).
- 1.30 The emerging international significance of the low carbon vehicles sector coupled with investment by Nissan in pioneering low carbon batteries and the on site production of the Nissan LEAF electric vehicle from 2013 presents the opportunity for Sunderland to accommodate growth and become a leader within the Ultra Low Carbon Vehicles and Advanced Manufacturing sectors.
- 1.31 Accordingly Sunderland's Economic Masterplan supports the Nissan development site as a 'low carbon technopole hub.' This proposes a research & development facility around the test track, a 'green collar' training centre to address new skills needs and physical infrastructure.
- 1.32 The LDO permits a number of primary uses as set out below that are considered appropriate in achieving the city's low carbon vision.

Planning use class (B1a) Offices

Planning use class (B1b) Research & Development

Planning use class (B1c) Light Industry

Planning Use Class (B2) General Industry

Planning Use Class (B8) Storage and Distribution

Planning Use Class (D1c) Education

A range of supporting uses will also be allowed on Site 1.

Target Sector

- 1.33 Development for the above use classes will only be permissible through the LDO if it is connected with the purpose of the Sunderland EZ i.e. involved with research & development, education, advanced manufacturing and the connected supply chain relevant to ultra low carbon vehicles technologies.

PART 2: STATEMENT OF REASONS

Justification for Creating the LDO

- 2.1 Local Development Orders (LDOs) effectively grant advance planning permission within a designated area for certain types of development which would normally require planning consent; providing the proposals accord with an agreed set of development criteria. The criteria contained within this LDO incorporate development limits, design guidance and other supporting guidance to ensure a sustainable form of development. Developers who are able to meet these criteria may not have to proceed through the normal planning application procedures.
- 2.2 LDOs are considered particularly relevant where, under a standard development management approach, a planning application would be required for a type of development which would feasibly have little material impact on neighbours, being limited to the confines of a discrete development site such as a business park or industrial estate. Given the location of the Turbine Park and Vehicle Test Centre sites, the nature of development envisaged; and the potential cost and time saving benefits to a developer, it is considered that an LDO would be an appropriate tool to enable development in this key growth area.
- 2.3 This LDO establishes a planning basis for the development of the Turbine Park and Vehicle Test Centre sites, incentivising developments associated with the low carbon and advanced manufacturing economy, such as the production of ultra low carbon vehicles / battery technologies. The aspirations and economic priorities of the NELEP and Sunderland Economic Masterplan are very much geared towards the development of the low carbon economy in the North East. The LDO has been designed to fit with these aspirations and assist in expanding these industries in the City.
- 2.4 Businesses operating in the field of ultra low carbon vehicle development or advanced manufacturing, which can also meet the development criteria set out in this LDO will now have the opportunity to locate on the site without the need to go through the normal planning process.
- 2.5 A broader range of uses will be permitted on site 1 to provide additional local services / amenity facilities for the wider LDO/Nissan area. Limits on the scale of these developments will ensure that these will be secondary to the primary function of the site. The uses and their proposed scale are in line with those granted outline approval in 2010. (see Appendix 2 Planning History).
- 2.6 Restrictions will also be placed upon changes of use to land within the LDO site in order maintain growth within the low carbon vehicles and advanced manufacturing sectors in the longer term and help to prevent displacement from elsewhere in the Sunderland region.

Statement of Policies the LDO will Implement

- 2.7 The LDO will support a number of existing and emerging strategies, plans and policies at the national, regional and local level:.

National Planning Policy Framework (NPPF)

- 2.8 The Coalition Government has replaced existing National planning policy and guidance with a single National Planning Policy Framework (NPPF). The NPPF sets out a 'presumption in favour of sustainable development' and defines the role of planning system in managing the economic, environmental and social dimensions of sustainable growth.

Local Policies

- 2.9 The following local policies are of relevance

- **Sunderland Economic Masterplan**

The Sunderland Economic Masterplan establishes the economic priorities for Sunderland for the next 15 years. A key aim is to develop Sunderland as a leading UK city for low carbon technology and production. The opportunity to create a Low Carbon Technopole Hub linked to the development of Ultra Low Carbon Vehicles at Nissan is established through the Masterplan.

- **Sunderland Unitary Development Plan (UDP)**

Site specific Policies

WA1.5	<i>Existing Employment Sites</i>
WA21.1	<i>Trees and Woodlands</i>
WA22	<i>Nature Conservation – Barmston Pond</i>
CN15	<i>Great North Forest</i>
CN18	<i>Nature Conservation</i>
CN21	<i>Nature Conservation – Protection of SNCI (LWS)</i>
CN23	<i>Wildlife corridors</i>

Other relevant UDP policies

B2	<i>Design, Scale and massing of Development</i>
EC2	<i>Business Support</i>
EC4	<i>Retention and Improvement of Existing business and Industrial Land</i>
T9	<i>Cycle link provision</i>
T14	<i>Access to new developments</i>
T20	<i>Traffic Management</i>
T22	<i>Car and Cycle parking</i>
CN1	<i>Rural areas – protection</i>
CN16	<i>Retain and enhance woods and hedgerows</i>
CN13	<i>Important views</i>
CN22	<i>Protected species and habitats</i>
R1	<i>Sustainable development</i>

<i>R3</i>	<i>Infrastructure provision</i>
<i>HA19.2</i>	<i>Views to be protected from Penshaw Monument</i>
<i>HA19.3</i>	<i>Views eastwards from Penshaw/Pallion Line to be protected</i>
<i>SA38.1</i>	<i>Views of the River Wear valley from various points to be protected</i>

- **Sunderland Core Strategy Revised Preferred Options**

The Sunderland Core Strategy Revised Preferred Options is currently undergoing revisions to take account of the changes proposed in the National Planning Policy Framework. The LDO will support the aspirations and criteria set out in the following overarching policies within the emerging document:

<i>CS1</i>	<i>Spatial Development Growth and Regeneration</i>
<i>CS2</i>	<i>Developing the City's economic prosperity</i>
<i>CS3</i>	<i>Sustainable Communities</i>
<i>CS3</i>	<i>Developing a Sustainable Sunderland</i>
<i>CS12</i>	<i>Washington</i>

Lifetime of the Enterprise Zone and LDO

2.10 Enhanced Capital Allowances will be available for expenditure on plant & machinery incurred in the 5 year period 1st April 2012 to 31st March 2017. EZ Sites 1 and 3 have been designated as ECA sites.

2.11 Business Rate discount of £55,000 pa can be claimed for 5 years but businesses must be on site by 31st March 2015 to claim the discount. EZ Site 2 has been designated for business rates discount.

The LDO will be a “living document” to be updated as and when necessary and will be in place for **5 years**. It is anticipated that the LDO will be adopted by Council in September 2012.

2.12 Once the LDO expires on 30 September 2017, the Local Planning Authority will have three options available:

- a) re-adopt the LDO under the same criteria and conditions
- b) re-adopt the LDO but modify the criteria and conditions; or
- c) revoke the LDO and return to the established planning system.

2.13 In order to benefit from the provisions of the LDO it will be necessary for development to have commenced on site prior to 30 September 2017. For the avoidance of doubt commencement as a minimum means site preparation and infrastructure works. Development which has commenced by this date under the provision of the LDO will be allowed to be completed and operated in accordance with the written approval of the Local Planning Authority. Development which commences after this date will require the submission of a formal planning application.

2.14 The uses that have been implemented will therefore be allowed to continue to trade/operate but no new changes of use will be allowed, without planning permission, under the terms of the LDO following its expiry.

Monitoring the LDO

2.15 To inform the above, the LDO will be subject to continuous monitoring over the 5 year period to assess its effectiveness and to ensure development remains compliant with the conditions and developer requirements.

2.16 Information will be collected on an annual basis to feed into the Government's, the North East LEP's and the Council's understanding of the success of the LDO. This will provide an evidence base for determining whether growth targets are being met and the need for change in the format of future EZ allocations. The outcomes of the monitoring process will also be beneficial to the Local Development Framework monitoring programme in setting out future strategic planning policy.

2.17 The approach to monitoring is set out in Appendix 3.

Submission and Notification process

- 2.18 Prior to the commencement of development on site, all relevant plans and information will be required to be submitted to the Local Planning Authority in order to make an assessment of conformity with the LDO. A Submission form with a developer's checklist clarifying the submission requirements can be found in Appendix 4. Within 28 days of valid receipt of all necessary information the Local Planning Authority will provide a response in writing, this response will state whether:
- a) the proposed development is in conformity with the Local Development Order
 - b) further information is required to determine whether the proposed development is in conformity with the Local Development Order
 - c) the proposed development is not in conformity with the Local Development Order
- 2.19 If further information is required to make an assessment and a decision cannot be reached within 28 days, the Local Planning Authority will seek to agree an extension of time with the applicant. Should minor changes be required to ensure compliance with the LDO, where feasible the Local Planning Authority will endeavor to seek amendments with the applicant, rather than issue a response of non-conformity. Again this may require an extension of time which will be agreed with the applicant.
- 2.20 Should it be agreed in writing that development complies with the Local Development Order; the developer will be required to satisfactorily discharge any outstanding planning conditions contained in this LDO to be agreed in writing by the Local planning Authority. The developer is also required to notify the City Council in writing of their intention to start works on site 28 days prior to commencement; in order to monitor progress, ensure continued compliance and evaluate outcomes.
- 2.21 A developer submission form and notification form relating to this LDO can be found in Appendix 4.

Pre-Development Consultations and notifications

- 2.22 Where constraints apply to a development it will be necessary to consult the applicable organisation. The following contacts are of relevance.

Sunderland City Council (Planning)

Regeneration Team

Ben Winter

Tel: (0191) 561 2549

Email: ben.winter@sunderland.gov.uk

Electricity (Northern Power Grid)

Network Connections
Northern Power Grid
Cargo Fleet Lane
Middlesbrough
TS3 8DG
Tel: 08450 702 703

Gas (Northern Gas Networks Ltd)

Northern Gas Networks Limited
1100 Century Way
Thorpe Park Business Park
Colton
Leeds
West Yorkshire
LS15 8TU
Tel: 0870 300 7677

Water and Drainage (Northumbrian Water)

Northumbrian Water
Abbey Road
Pity Me
Durham
DH1 5FJ
Tel: (0191) 419 6745

Flood Risk Management

Environment Agency
Tyneside House
Skinnerburn Road
Newcastle upon Tyne
NE4 7AR
Tel: (0191) 203 4203

County Archaeologist

Jennifer Morrison
Strategic Housing Planning and Transportation
Environment & Regeneration
Newcastle City Council
Civic Centre
Newcastle upon Tyne
NE1 8PH
Tel: (0191) 211 4998

IT systems and 'the Cloud'

BT Headquarters London
BT Centre
81 Newgate Street
London
EC1A 7AJ
United Kingdom

Additional Information

2.23 It should be noted that this LDO grants planning permission only and does **not** remove the need to obtain other statutory consents, licenses, permits and controls required under other legislation. These include:

- All relevant statutory provisions and standards relating to health and safety, nuisance and pollution
- Consents under highways legislation including consent for stopping up or diversion of an adopted highway or footpath
- Approvals under the Building Regulations and adherence to the Equality Act 2010
- Consent from the statutory undertakers where their plant or equipment may be affected
- Approval as appropriate from the Environment Agency pursuant to the requirements of the Land Drainage Act 1991 and other relevant legislation
- Consent to display advertisements where required by the Town and Country Planning Act (Control of Advertisements) 2007
- Activities requiring consent under the Town and Country Planning (Hazardous Substances) Act 1990
- Land drainage Bye-Laws
- Building on and adjacent to public sewers

2.24 It remains the responsibility of the developers to ensure that all other statutory requirements beyond the scope of the planning system are adhered to.

PART 3: DEVELOPMENT PERMITTED

Description of development granted planning permission

- 3.1 The Local Development Order will grant planning permission exclusively for land use, buildings and ancillary facilities; and associated development specifically linked to the following business sectors:
- The development of ultra low carbon vehicles (ULCVs) and associated supply chains, including Research & Development, production of automotive components, conversion of vehicles to ULCV operation and production of complete 'niche' vehicles; or
 - Advanced engineering and manufacturing and associated supply chains..

Acceptable use classes by site

- 3.2 Accordingly, the following planning use classes operating in the above business sectors will be permitted on:

- **Site 1**

- B1 (a) Offices (excluding those within A2 class)*
(b) Research and development, studios, laboratories, high tech
(c) Light Industry
- B2 General Industry*
- B8 Storage and distribution*

Providing that:

- a) The development would not, in the view of the Local Planning Authority be classed as Environmental Impact Assessment (EIA) development*
- b) The development permitted would not be considered to cause displacement of employment from elsewhere within the boundaries of the City of Sunderland*
- c) The development requirements identified in table 1 and planning conditions identified in table 2 are satisfied; and*
- d) Submissions are made to the Local Planning Authority by or before 30 September 2017*

- **Site 2**

- B1 (a) Offices (excluding those within A2 class)
(b) Research and development, studios, laboratories, high tech
(c) Light Industry
- B2 General Industry
- D1 (c) non residential institution for the provision of education

Providing that:

- a) The development would not, in the view of the Local Planning Authority be classed as Environmental Impact Assessment (EIA) development
- b) The development permitted would not be considered to cause displacement of employment from elsewhere within the boundaries of the City of Sunderland
- c) The development requirements identified in table 1 and planning conditions identified in table 2 are satisfied; and
- d) Submissions are made to the Local Planning Authority by or before 30 September 2017

Exceptions

- 3.3 Notwithstanding the above there will in addition be a limited opportunity for amenity convenience facilities and a hotel with an ancillary leisure use to support the function of the wider Enterprise Zone. The following uses will therefore be permitted on **site 1 only**:

- A1 Shops
- A3 Restaurants and Cafes
- A4 Drinking Establishments
- A5 Hot Food Takeaways
- C1 Hotel
- D2 Leisure

Providing that:

- a) Development comprising amenity facilities (A1- A5 uses) does not exceed gross floor 929m² gross floor space (including mezzanine floors), with an individual unit size of no greater than 450m²
- b) C1/D2 hotel/leisure development taken together does not exceed 11,149 square metres
- c) The development requirements identified in table 1 and planning conditions identified in table 2 are satisfied; and
- d) Submissions are made to the Local Planning Authority by 30 September 2017

- 3.4 This LDO applies to sites 1 and 2 identified in appendix 1, which together with Hillthorn Farm (site 3, subject to a separate LDO) form the Sunderland EZ.

Changes of use

- 3.5 Changes of use to different use classes or uses within the same class (not specifically identified in the LDO) which would normally be permissible through the Town & Country Planning (Use Classes) (Amendment) (England) Order 2010 (or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that order with or without modification) will not be allowed. Any changes of use to another class or a different land use within the same class falling outside of that specifically identified in the LDO would need to go through the normal planning application route.

Development Restrictions Justification

- 3.6 The development restrictions included above have been put in place to ensure that only appropriate development occurs through the LDO. The table below sets out the development restrictions and provides a justification.

Restriction	Reason
The development would not in the view of the Local Planning Authority be classed as Environmental Impact Assessment (EIA) development	<p>Development that requires an Environmental Impact Assessment (EIA) would need to be assessed through a planning application, subsequent to a screening and scoping opinion agreed with Sunderland City Council.</p> <p>This requirement is based upon a broad understanding of the scale and type of development required on the EZ site and in advance of definite proposals coming forward. Without advance knowledge of developer plans it is difficult to screen and assess the quantum of development</p>
The development permitted would not be considered to cause displacement of economic activity from elsewhere in the City of Sunderland	In order to ensure the economic benefits of the Enterprise Zone are maximised and genuinely contribute to economic growth and job creation
<p>A1 – A5 on site 1 gross floor space does not exceed 929m², with an individual unit size of no greater than 450m²</p> <p>C1/D2 development on site 1 does not exceed 11,149 m²</p>	<p>Gross floor space accords with that granted approval in 2010 and has been restricted in order to ensure that such uses are secondary to the primary function of the site, which is for uses associated with the development of ULCVs and advanced engineering and manufacturing; and to avoid the significant displacement of City Centre uses.</p> <p>Development in excess of the gross floor spaces is likely to have a significant impact on the Strategic Road Network and Local Road network.</p>
The development requirements identified in table 1 and planning conditions identified in table 2 are satisfied	The development requirements and planning conditions are crucial to ensure appropriate and sustainable development takes place on the EZ site.
Submissions are made to the Local Planning Authority by 30 September 2017	To meet the requirements for Enterprise Zone benefits and to allow for review of the LDO.

Definitions

Ultra Low Carbon Vehicles

- 3.7 an ultra-low carbon vehicle (ULCV) is defined as one which conforms with European 'M1'-type approval standards, and has the potential to operate with 'well-to-wheel' CO₂ emissions of less than 75g CO₂/km, as measured on the New European Drive Cycle (or similar) (DfT, 2009a).

Advanced Engineering & Manufacturing

- 3.8 Advanced engineering and manufacturing makes use of computers, high precision, and information technologies integrated with a high performance workforce in a production system capable of furnishing a mix of products in small or large volumes.

Associated development

- 3.9 For the purposes of this LDO Associated development includes
- Ground works in advance of development of the site for the purposes of investigating geological ground conditions, identifying areas of contamination, or undertaking archaeological investigations; including the provision on land of buildings, moveable structures, works, plant or such works.
 - Environmental mitigation measures and soft and hard landscaping works associated with the development of the site
 - The machinery required temporarily in connection with and for the duration of improvement of highway and access infrastructure associated with development; and construction of new highway infrastructure and accesses within the site.
 - The installation, alteration or replacement of any closed circuit television camera to be used for security purposes, including any pole or supporting equipment required for such installation
 - The installation alteration or replacement of solar photovoltaic or solar thermal equipment on a building

Ancillary facilities

- 3.10 For the purposes of this LDO ancillary facilities include: canteens, staff rest areas, workplace medical facilities, facilities for fighting fire or other emergency services, smoking shelters, passenger shelters, bicycle shelters, motorcycle shelters, security buildings, barriers for the control of people and vehicles, traffic signals, waster recycling facilities, machinery and plant maintenance facilities, electricity substations and associated electric lines, electric vehicle charging points, bollards, lamp standards, telephone boxes, post boxes and refuse bins; that are required for purposes ancillary to activities permitted by this order.
- 3.11 This definition does not include the construction of retail, hotel, residential or education facilities.

Displacement

3.12

- Displacement is the extent to which development and economic growth in the Enterprise Zone area will result in the relocation of existing businesses from within the local area (City of Sunderland*) into the EZ site simply as a result of the incentives available. Relocation in this manner would be unlikely to have occurred had the combination of a simplified planning regime and financial incentives offered through the EZ not been present
- Displacement would not result in net economic growth or increased employment targeted by the EZ and as such produces no economic benefit
- Displacement will be a significant consideration when assessing proposals for development within the LDO area. The importance of this is recognised in the Government's Enterprise Zone Prospectus (June 2011), prepared as an invitation for LEP's to submit bids for an EZ
- Proposals involving the relocation of an existing business from outside the City of Sunderland to the EZ will not be considered displacement
- Where a business, including a subsidiary business within a group of businesses proposes to relocate from within the City of Sunderland into the LDO area, the proposal will not be considered displacement if:

- It is a new business

- The relocation will represent an expansion and modernisation of an existing business in Sunderland

-In all cases it will be necessary for the applicant to satisfactorily demonstrate to the City Council by means of a written statement submitted as part of the notification process why the development proposed is not considered to constitute displacement. Careful consideration will be given to matters including the level of capital investment, employment growth, the provision of additional floorspace and projected growth in output within 5 years from the beginning of operations. Sunderland City Council will make an assessment based upon the information provided. Any development that is considered to be displacement will not be permitted under the LDO

- 3.13 Based upon the information submitted at the notification stage, it will be at the discretion of the Local Enterprise Partnership board and the City Council's Business Investment Team, in consultation with the Local Planning Authority to determine whether a proposal is deemed to fall within the appropriate sectors and/or constitutes displacement.

Development Requirements

Development requirements	Requirement Reason
<p>Development Design</p> <p>General principles</p> <p>The development of individual plots within the designated LDO area will be required to deliver a high standard of design. Development schemes must comply with the development framework for this site (attached as appendix 5 of this document) and the principles identified below:</p> <p>D.1 Site layout</p> <ul style="list-style-type: none"> ▫ The layout of new development will be designed to maximise the development potential of individual plots and provide thermal and solar efficiencies. <p>In particular the layout of development situated to the southern edge of the LDO should be sensitively designed to retain the quality of longer distance views and vistas of the site from both the A1231 and wider view corridors.</p> <ul style="list-style-type: none"> ▫ The layout and situation of buildings will be required to enable enclosure and overlooking of pedestrian routes and access points throughout the site. ▫ Landmark buildings will be encouraged at locations as identified within the development framework for the site. ▫ Developments will be designed to achieve the principles of 'Secure by Design.' 	<p>To encourage a well designed, safe and legible environment within the EZ site and to protect key views across the City</p>

<p>D.2 Plot configuration</p> <ul style="list-style-type: none"> ▫ The plot coverage of new development will be based upon the following principles: <ul style="list-style-type: none"> ▪ Building coverage will extend to no more than 40% of individual gross plot area ▫ Parking and servicing areas of individual plots will be sensitively located and be of a scale which accords with the guidance issued below. Large areas of parking will be broken-up by soft landscaping. ▫ Within each plot, a 2 metre perimeter of landscaping and planting will be retained to provide green edges to development and to demarcate individual development plots. To the southern edge of the site (bound by the A1231) this landscaping buffer will be enlarged to a minimum of 8 metres (from the edge of existing highway verge). Further detail relating to the extent of highway verge is identified on the Framework plan (appendix 5). ▫ Where development is envisaged to be delivered following a phased approach, a phasing plan illustrating the overall (cumulative) amount and scale of development should be submitted for consideration by the LPA. This plan should be submitted with the notification form for the first phase of development and should show all of the individual elements of development. 	<p>To ensure the high quality environment of the EZ is sustained and to allow for an appropriate quantum of development in relation to plot scale and access and servicing requirements</p>
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D.3 Building height and scale

- Building heights across the LDO area will be limited to a maximum height of 13.5 metres to the ridgeline of individual developments.
- Where individual buildings or groups of buildings across the LDO area feature multiple storeys, the design of building forms should mix the scale and storey heights to create interest and character to the development.

D.4 Building quality

- Buildings will be of a high quality design befitting contemporary industrial/commercial buildings. The architectural ambition of built form must be appropriate to the use, scale and situation of final development.
- The format of buildings across the LDO area should be designed to provide flexibility and adaptability to future changing market demands. Buildings with flexible floorplates and ceiling heights capable of facilitating a variety of uses will be preferred.
- Building elevations fronting onto the A1231 and internal vehicular/pedestrian routes through the site will be animated to create active and attractive building elevations. Elevations must include appropriate fenestration and entrance features. Inactive building elevations along these elements will not be permitted.

Notwithstanding the above, development immediately adjacent to the existing Nissan test track must not create active frontages and overlooking onto this commercially sensitive aspect of the LDO site.

To reduce the impact of new development on longer distance views of the site and to ensure development is of a complementary scale across the EZ site

To ensure building design will respond to the inherent characteristics/constraints of the site and will benefit its high profile location

<ul style="list-style-type: none"> ▫ The design of buildings will also be required to maximise opportunities for passive solar gain. Such designs should avoid the risk of excessive solar gain by cooling through natural ventilation and the use of overhangs, shutters and brise-soleil elements in solar orientated elevations. ▫ Development will be supported by a durable, high-quality palette of materials. Development will be permitted based upon the following considerations: <ul style="list-style-type: none"> ▪ The appropriateness of materials as a palette and within the context of the site ▪ Future maintenance including long-term replacement costs and ease of repair or alteration ▪ The sustainability of products in relation to their production, supply or recycling <p>A schedule and/or samples of materials must be submitted for approval by the LPA prior to the commencement of development.</p> <p>D.5 Landscaping and Ecology</p> <ul style="list-style-type: none"> ▫ High quality landscaping incorporating indigenous formal and informal tree and shrub planting and where possible wetland habitat creation, will be required in order to provide an attractive all year round setting offering an enjoyable working environment and creating a lasting impression for potential investors. Early consultation with Sunderland City Council is essential to ensure an appropriate scheme is delivered. ▫ Planting within each individual plots should consider the wider landscaping scheme for the business park ▫ Additional amenity space will be required to public areas to create a high quality public realm. ▫ A coordinated landscape and ecological masterplan must be provided to the Local Planning Authority for agreement at the initial submission stage. 	<p>To provide an appropriate visual setting and to ensure the protection of existing biodiversity in and around the site</p>
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<p>D.6 Sustainable design</p> <ul style="list-style-type: none"> ▫ Buildings will be designed to achieve passive solar gain, maximise energy efficiency, water conservation and rainwater harvesting ▫ All buildings will be designed to achieve BREEAM – Very good accreditation. Initial submissions must be accompanied by a completed design Stage Assessment . Submission of a post completion certificate illustrating how the proposed development achieves this accreditation will also be required following the completion of development. ▫ Development in excess of 1,000m2 floorspace will secure a minimum of 10% of their energy supply from a decentralised and renewable or low carbon source. The following renewable energy sources will be suitable: <ul style="list-style-type: none"> ▪ Photovoltaic panels or tiles ▪ Micro wind turbines ▪ Combined heat and power ▪ Biomass boilers ▪ Ground/air source heat pumps ▪ Solar thermal hot water <p>Recycling Refuse and materials recycling should be integral to the built form of new developments and be weather protected.</p> <p>Lighting Lighting should be designed to keep glare to a minimum by ensuring that the main beam angle of all lights directed towards any potential observer is no more than 70 degrees.. Care should be taken to minimise any light trespass by the proper application of suitably directional low energy luminaires and light controlling attachments. As a minimum all lighting proposals must be designed and installed in accordance with the Institution of Lighting Engineers' Guidance Notes for the reduction of Obtrusive Light.. Early consultation with Sunderland City Council's Environmental Health team is recommended.</p>	<p>In order to deliver a low carbon development consistent with the wider theme of the A19 ULCV site</p> <p>In order to protect the amenity of nearby residents</p>
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<p>Access, Parking and Road infrastructure specification and design</p> <p>All new buildings and associated development will be required to be fully accessible by all users by a range of transport including vehicular, pedestrian and cycling and have regard to servicing arrangements and highway safety</p> <p>Access and parking</p> <p>Parking standards should comply with the Sunderland City Council UDP Development Control Guidelines document. The document is available at the following web link: http://www.sunderland.gov.uk/CHttpHandler.ashx?id=7815&p=0</p> <p>Notwithstanding this, early consultation with Sunderland City Council's Highway Engineers is essential; to ensure an appropriate and sustainable amount of parking is provided.</p> <p>Areas of car parking should be well lit and well overlooked from buildings and incorporate clearly defined, direct and safe pedestrian routes to building entrances and between the entrances of buildings that are fully accessible to all.</p> <p>Parking spaces for disabled people must be provided as close as possible to the main entrances of buildings.</p> <p>An appropriate mix of short-stay and long-stay cycle parking should be provided. Short-stay cycle parking facilities should be sited as close as possible to the entrance of the building and should be secure and well over-looked from the building or by passers-by. Long-stay cycle parking must be located in an accessible safe and well lit location</p> <p>Electric vehicle charging points should be provided as part of each new development. It is recommended that prior to submission, discussions should be undertaken with the council's Highway Engineers in agreeing an appropriate level of provision.</p> <p>Internal road infrastructure</p> <p>All internal Estate Roads must be capable of accommodating the movement of HGV's in accessing the parking, manoeuvring and loading/unloading and must meet specifications to be agreed with the Local Highway Authority.</p>	<p>To ensure newly constructed road infrastructure is of an adequate capacity and quality to allow adoption by Sunderland City Council and to mitigate impacts on the existing road network</p>
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All Estate roads will be a minimum of 7.3 metres wide, with adjacent footways or shared footway/cycleways and 1 metre wide grass verge areas as a minimum requirement. Verge areas to be widened to achieve suitable visibility splays.

Continuous pedestrian footways and footpath links 2 metres in width should be provided throughout the EZ sites providing clearly defined, direct and safe access between buildings and links to other pedestrian routes within and beyond the site boundaries.

Cycle path provision will be required through the site. Cycle paths and shared footway/cycleways must be a minimum of 3 metres in width and be consistent with and adjoin surrounding cycle paths/multi-user routes. In particular from EZ site 1 a link should be established to the existing C2C route, which runs to the south of site 1 and provides access to Central Sunderland and Washington.

All new internal road infrastructure will be constructed to a standard to allow adoption by Sunderland City Council. Early consultation with Sunderland City Council's Highway Engineers is essential; to ensure an appropriate road layout is provided.

Transport Assessment/ Transport Statement

Development proposals in excess of the Department for Transport (DfT) gross floor space thresholds set out below must be accompanied by a Transport Assessment and draft Travel Plan for consideration by the Local Authority at the submission stage.

Sites 1 and 2

B1> 2500m²

B2> 4000m²

B8> 5000m²

C1> 100 bedrooms

D2> 1500 m²

Site 2

B1> 2500m²

B2> 4000m²

B8> 5000m²

D1> 1000m²

For smaller scale proposals, a Transport Statement may be required and must accompany proposals at the submission stage. Developers should refer to DfT Guidance on Transport Assessment and liaise with the City Council's Highway Engineers at the earliest opportunity.

Depending on the outcomes of the Transport Assessment/Statement, where necessary developers will be required to provide contributions towards offsite Highway improvements or public transport provision and infrastructure.

<p>Outside Storage/ Operations</p> <p>Loading bays and areas for outside storage must be incorporated into the overall design and landscaping of development and will only be permitted where appropriately designed to minimise visual impact and carefully sited, screening the area from the highway and public viewpoints both within and external to the site. Details of materials are to be submitted to the Local Planning Authority for consideration and approval</p> <p>Outdoor storage of any active material that can be windborne shall not be permitted.</p>	<p>To ensure a high quality physical environment of the A19 ULCV EZ and to protect the amenity of nearby residential areas and other site occupiers</p>
<p>Contamination</p> <p>Developments permitted by this order will required a full and competent desk study and where necessary a site investigation, including risk assessment to be undertaken and submitted to the Local Planning Authority for approval. Early consultation with Sunderland City Council's Environmental Health team is essential to scope out the extent of the Risk Assessment, Site Investigations and Remediation Statement in order to ensure contamination is dealt with effectively prior to development commencing.</p>	<p>To minimise risk from land contamination to the future users of the land and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors</p>
<p>Development Generated Noise</p> <p>Developments permitted by this Order must be constructed so as to provide insulation against internally generated noise, dust, smell, vibration and general disturbance. A Noise Assessment may be required. Early consultation with Sunderland City Council's Environmental Health Team is essential.</p>	<p>To protect the amenity of nearby residential areas and other site occupiers</p>
<p>Odour and Ventilation</p> <p>Developments permitted by this order may involve processes resulting in the production of emissions or odours. Where this is the case, a scheme of controlling the fumes and odours must be agreed with the Local planning Authority. Developers should liaise with the City Council's Environmental Health team at the earliest opportunity prior to the commencement of development.</p>	<p>to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptor</p>

<p>Air Quality</p> <p>Developments permitted by this order may require an Air Quality Assessment which demonstrates the likely changes in air quality or exposure to air pollutants. Where this is the case the method and scope of the Assessment must be agreed with the City Council's Environmental Health team at the earliest opportunity and an Assessment submitted prior to the commencement of development on site. The Development Control Planning for Air Quality (2010 Update) produced by Environmental Protection UK sets out criteria which will be used to determine the need for an Air quality Assessment. These criteria can be found in Appendix 6 of this LDO</p>	<p>to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptor</p>
<p>Environmental Impact Assessment</p> <p>Development considered EIA development through EIA Screening cannot be delivered through this Local Development Order and must be determined through a planning application</p>	<p>To ensure any new development is not an EIA development</p>
<p>Environmental Mitigation/ Ecology</p> <p>An appropriate ecological impact assessment must be carried out by the developer to enable an assessment of the level of risk proposed to protected species from new development. The report will identify any rare, declining, protected or otherwise important flora, fauna or habitats within the site including known protected and biodiversity action plan (BAP) target species and habitats such as water vole, otter, great crested newt, badger and breeding birds; and wetlands, grassland scrub and woodland. Assessments must consider the importance of these features at a local and national level; identify the impacts of the scheme on these features; and make recommendations for mitigation and enhancement.. Depending on the outcomes of the impact assessment, where necessary developers will be required to provide contributions towards related mitigation and enhancement. It is recommended that developers engage early with Sunderland City Council's Natural Heritage team.</p>	<p>To protect the biodiversity of this area and any supporting habitat within and adjacent to the development site. Otherwise, affordable damage could be caused to biodiversity interests</p>

<p>Floodrisk</p> <p>A Surface water drainage assessment will be required for each site demonstrating that surface water run-off from new development will not increase flood risk either on-site or elsewhere, and will where possible be reduced. A Sustainable Urban Drainage system (SUDs) approach should be applied.</p>	<p>To prevent the increased risk of flooding from new development</p>
<p>Community Infrastructure Levy</p> <p>It is anticipated that a Community Infrastructure Levy will be adopted by Sunderland City Council within the time period covered by this LDO. Development that takes place under the LDO may be subject to the Levy and be subject to charges towards larger infrastructure projects. This may supersede the requirement for planning contributions towards highway infrastructure set out above</p>	<p>In order to secure adequate infrastructure provision for the site</p>

Planning Conditions

Condition	Reason
<p>1. Compliance with the Local Development Order All aspects of development undertaken in accordance with this permission shall comply with the development requirements set out within this LDO with the exception of minor variations agreed in writing with the local Planning Authority.</p>	<p>In order to ensure sustainable form of development in line with the aspirations for the A19 ULCVC site and to comply with the provisions of the National Planning Policy Framework and policies B2, T14, WA1.5, EC2, EC2, EC4 and CN18 of the Unitary Development Plan</p>
<p>2. Details of materials to be submitted No works shall commence on site shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.</p>	<p>In order to ensure a satisfactory form of development and to comply with the provisions of the National Planning Policy Framework and policy B2, of the Unitary Development Plan</p>
<p>2. Notification of the Council Development Details to be submitted to the local Authority for Approval must satisfy the submission Checklist set out in Appendix 4 of this LDO. Prior to the commencement of development, the developer or agent shall serve notice on the Local planning Authority in accordance with the procedures set out within this LDO.</p>	<p>In order to ensure that development will be compliant with the requirements of the LDO and to allow for continued monitoring of the Enterprise Zone in accordance with policy EN10 of the Unitary Development Plan</p>
<p>3. Archaeological Excavation and Recording (Site 2 only) No groundworks or development shall commence on site 2 until a programme of archaeological fieldwork (to include desk based assessment, geophysical survey, evaluation and where appropriate mitigation excavation) has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority.</p>	<p>The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with saved Unitary Development Plan Policies B11, B13 and B14 and the National Planning Policy Framework.</p>

<p>4. Archaeological Post Excavation Report (Site 2 only)</p> <p>The building(s) on site 2 shall not be occupied/brought into use until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition 3 has been submitted to and approved in writing by the Local Planning Authority.</p>	<p>The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with saved Unitary Development Plan Policies B11, B13 and B14 and the National Planning Policy Framework</p>
<p>5. Archaeological Publication Report (Site 2 only)</p> <p>The buildings on site 2 shall not be occupied/brought into use until a report detailing the results of the archaeological fieldwork undertaken has been produced in a form suitable for publication in a suitable and agreed journal and has been submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal.</p>	<p>The site is located within an area identified as being of potential archaeological interest and the publication of the results will enhance understanding of and will allow public access to the work undertaken in accordance with policies B11, B13 and B15 of the UDP and the National Planning Policy Framework.</p>
<p>6. Surface Water Drainage Scheme</p> <p>Prior to the commencement of development, a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, will be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before each phase of development is completed.</p>	<p>To ensure adequate drainage is provided in accordance with the provisions of the National Planning Policy Framework, Policy EN12 of the Unitary Development Plan and the Sunderland City Council Strategic Flood Risk Assessment</p>
<p>7. Sustainable Drainage Methods</p> <p>Surface water drainage will utilise Sustainable Drainage methods and where possible incorporate habitat creation in the design. All new drainage will be designed to protect and accommodate any existing drainage and sewer infrastructure, including provisions for physical inspection and maintenance. All new drainage will be designed and constructed to a standard to allow adoption by the relevant infrastructure body.</p> <p>Early consultation with Northumbrian Water Ltd, the Environment Agency and Sunderland Council, as a minimum, is essential to arrange appropriate drainage infrastructure as part of any development.</p>	<p>To ensure adequate drainage is provided in accordance with the provisions of the National Planning Policy Framework, Policy EN12 of the Unitary Development Plan and the Sunderland City Council Strategic Flood Risk Assessment</p>

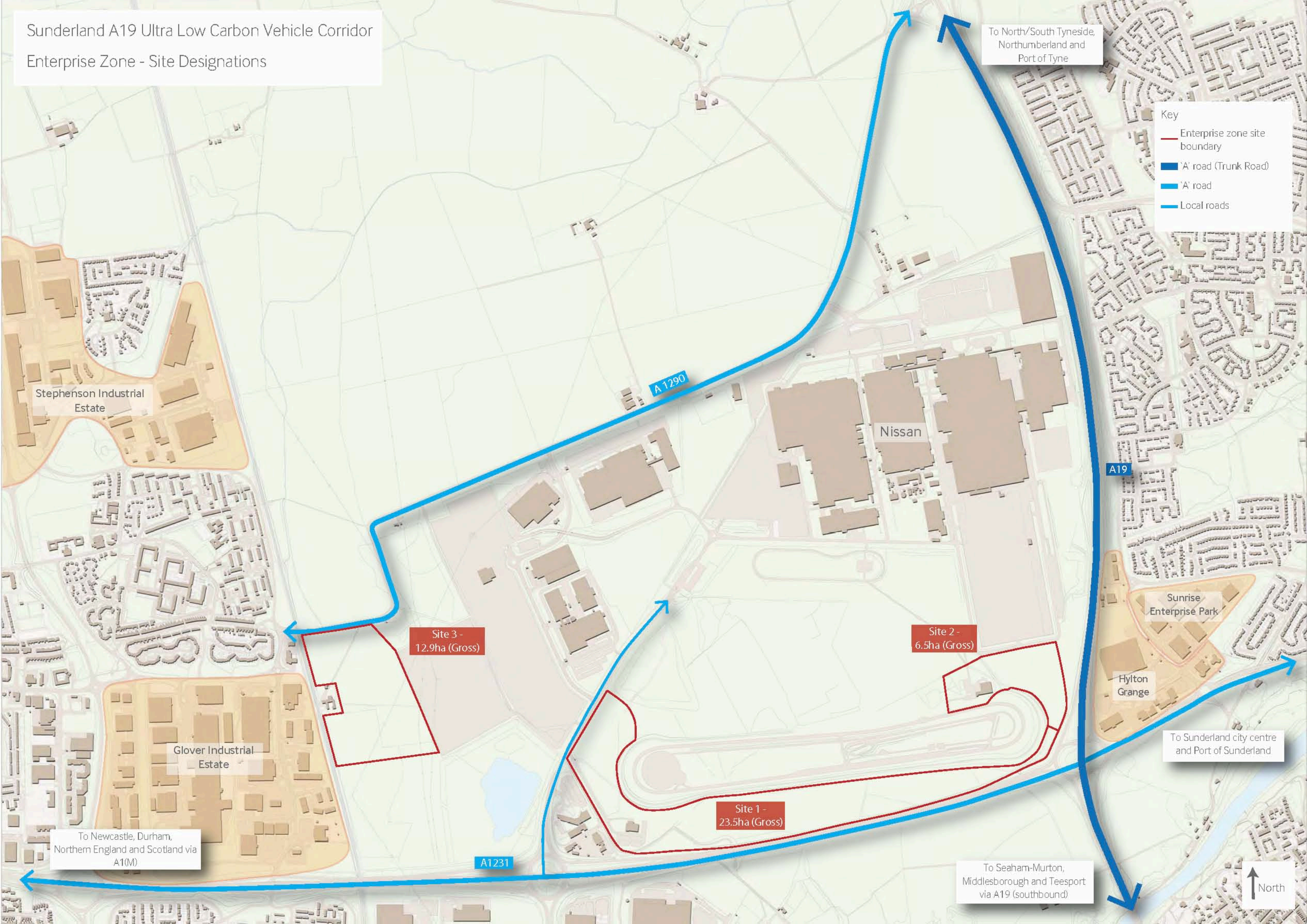
<p>8. Development Generated Noise</p> <p>External Noise No noise emitting fans, louvers, ducts or other external plant and machinery associated with the uses shall be installed until a noise assessment and scheme to reduce noise vibration has been submitted and approved by the Council. The approved scheme shall be completed prior to first occupation of the buildings and shall thereafter be retained.</p> <p>Internal noise (B1 office use) Prior to the commencement of any B1 office development, a scheme for the protection of the proposed office accommodation from external noise shall be submitted to and approved by the Council and this shall achieve internal noise levels less than 40dB9(A) LAeq. Any works forming part of this scheme shall be carried out in accordance with the approved scheme and prior to any part of the office development being occupied.</p>	<p>To protect the amenity of nearby residential areas and other site occupiers in accordance with the provisions of the National Planning Policy Framework and policy EN5 of the Unitary Development Plan.</p> <p>To protect the amenity of site occupiers in accordance with the provisions of the National Planning Policy Framework and policy EN5 of the Unitary Development Plan.</p>
<p>9.Land Contamination Prior to the commencement of development permitted by this order a full and competent desk study and site investigation, including risk assessment must be undertaken and submitted to the Local Planning Authority for approval. This must consider the potential for contamination to be present in relation to the existing circumstances of the land, the proposed new use and the possibility of encountering contamination during development and any necessary remediation and subsequent management measures to deal with unacceptable risks. No development shall commence until works specified in the Remediation Statement have been completed in accordance with the approved scheme and a report validating the remediated site has been approved in writing by the Local Planning Authority.</p>	<p>In the interests of protecting the amenity of future site occupiers in accordance with the provisions of the National Planning Policy Framework and Policy EN14.</p>

<p>10.Odour and ventilation</p> <p>Where the development involves processes which will result in the productions of emissions or odours for the site, prior to the commencement of any development approved under this Order a scheme for the effective control of fumes and odours from the premises shall be submitted to and agreed in writing by the Local Planning Authority. The scheme approved shall be implemented prior to the occupation of the approved development and thereafter retained at all times in the approved manner in order to protect the amenities of adjoining occupiers and the nearest residential properties from the impact of emissions.</p>	<p>To protect the amenity of nearby residential areas and other site occupiers in accordance with the provisions of the National Planning Policy Framework and policy EN9 of the Unitary Development Plan.</p>
<p>11.Air Quality Assessment</p> <p>Where a proposed development will be required to be subject to an Air Quality Assessment under criteria set out in The Development Control Planning for Air Quality (2010 Update), the scope and method of assessment shall be agreed with the LPA prior to its undertaking. No development shall commence on site until the submitted Air Quality Assessment has been approved in writing by the local Planning Authority.</p>	<p>To protect the amenity of nearby residential areas and other site occupiers in accordance with the provisions of the National Planning Policy Framework and policy EN9 of the Unitary Development Plan.</p>
<p>12.Hours of Construction</p> <p>The construction works required for the development hereby approved shall only be carried out between the hours of 07:00 and 19:00 Monday to Friday and 07:30 and 14:00 Saturdays and at no time on Sundays or Bank Holidays, unless agreed in writing by the Local Planning Authority.</p>	<p>To protect the amenity of nearby residential areas in accordance with the provisions of the National Planning Policy Framework and policy EN1 of the Unitary Development Plan.</p>

<p>13. Landscaping</p> <p>No development on site shall commence until there has been a detailed scheme of landscaping and treatment of hard surfacing submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the scheme to be submitted shall include precise details of exiting trees on the site and a detailed scheme for their protection during the course of development. The scheme shall also include a timetable for the implementation of landscaping proposals and an appropriate and agreed management plan and maintenance and monitoring schedule.. The approved scheme shall be implemented in accordance with the approved details and timetable unless otherwise agreed in writing by the Local Planning Authority.</p>	<p>In order to secure a satisfactory form of development on site in accordance with the provisions of the National Planning Policy Framework and to comply with policies B2, WA22, CN15, CN18, CN21 and CN23 of the Unitary Development Plan</p>
<p>14. Coal</p> <p>Where proposed development will be within a coal referral area, prior to the commencement of development on site a coal mining risk assessment must be submitted to the local Planning Authority and approved in writing. The coal mining risk assessment should address the following issues:</p> <ul style="list-style-type: none"> (i) a summary of the mining information relevant to the site (ii) an assessment of the risk coal mining poses to the proposed development; (iii) an statement outlining whether Coal Authority permission has been obtained, or will be required, to undertake any further site investigation or treatment risks works 	<p>To assess the risks development on land stability in accordance with the provisions of the National Planning Policy Framework and Policy EN14 of the Unitary Development Plan.</p>
<p>15. Containment of Dirt and Debris</p> <p>Before development commences details of the method of containing the construction dirt and debris within the site and ensuring that no dirt and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period</p>	<p>In the interests of the amenity of the area and highway safety and to comply with policies B2 and T14 of the Unitary Development Plan</p>

Appendix 1 Site plan

Sunderland A19 Ultra Low Carbon Vehicle Corridor
Enterprise Zone - Site Designations



Appendix 2 Planning history

Site 1 - Planning Applications

Application Reference	Application Description	Decision	Date
12/00803/REM	Erection of 39,165 sq m B8 warehouse facility and associated infrastructure including extended access road, parking and ancillary buildings (Reserved Matters Application relating to 07/03132/OUT - 10/03039/EXT1).	Approved	16.05.2012
10/03039/EXT1	New planning permission to replace extant planning permission 07/03132/OUT (Outline application for mixed used development, to include, 54,349 sq mtrs of office/industrial units (Class B1, B2 and B8) , 11,149 sq mtrs of hotel (Class C1) and leisure (Class D2) and 929 sq mtrs of ancillary retail (Classes A1-A5). Creation of associated access and infrastructure, including stopping up of footpath and change of use to industrial/commercial development, and creation of new bridleway.)	Approved	13.12.2010
08/03449/VAR	Variation of condition 3 attached to 07/03132/OUT for an outline application for mixed used development, to include, 54,349 sq mtrs of office/industrial units (Class B1, B2 and B8), 11,149 sq mtrs of hotel (Class C1) and leisure (Class D2) and 929 sq mtrs of ancillary retail (classes A1-A5). Creation of associated access and infrastructure, including stopping up of footpath and change of use to industrial/commercial development, and creation of new bridle way.	Approved	14.10.2008
07/05007/REM	Construction of new access/ estate road (PHASE I) including works to existing Nissan Way. Erection of substations , infrastructure and landscape proposals.	Approved	11.04.2008
07/05264/ADV	Erection of 4 billboards	Approved	30.01.2008
07/03132/OUT	Outline application for mixed used development, to include, 54,349 sq mtrs of office/industrial units (Class B1, B2 and B8) , 11,149 sq mtrs of hotel (Class C1) and leisure (Class D2) and 929 sq mtrs of ancillary retail (Classes A1-A5). Creation of associated access and infrastructure, including stopping up of footpath and change of use to	Approved	28.09.2007

	industrial/commercial development, and creation of new bridleway.		
07/00068/FUL	Erection of plant compounds.	Approved	05.03.2007
07/00066/FUL	Erection of boundary security fencing (AS AMENDED 27/02/07)	Approved	01.03.2007
05/04244/GD	Erection of new security fence.	Withdrawn	03.03.2006
05/02247/GD	Erection of new 2.9m high boundary weld mesh security fencing.	Approved	29.09.2005

Site 2 - Planning Applications

Application Reference	Application Description	Decision	Date
11/00718/FUL	Erection of 2No containers, portable compressors and associated gas storage.	Approved	26.07.2011

Appendix3 Monitoring

Appendix 3 - Monitoring (2012 – 2017)

In accordance with the guidance set out in Circular 1/2006, the City Council will report to the Secretary of State each year on the extent to which the LDO is achieving its purpose. The performance of the LDO must be compared against the justification for the LDO set out in the Statement of Reasons. The following table sets out a series of indicators and review triggers which may require the Council to reconsider the restrictions and conditions put into place by the LDO. Where necessary the City Council may make revisions to the LDO.

No	Indicator	Review trigger	Further Action
1	Annual number of businesses locating to the A19 ULCV Corridor under the LDO and which qualify for the EZ Financial Incentives	Location of target businesses falls short of identified targets	Possible review of the LDO requirements to relax the general criteria to encourage a wider range of businesses to locate at the site
2	Annual number of queries for businesses wanting to locate that do not qualify through the LDO.	Significant number of queries from non LDO land uses and operations that would be otherwise appropriate on the site	Possible review of the LDO to allow a wider range of land uses and operations than those already identified
3	Annual number of submissions considered an acceptable use but unacceptable for planning and design reasons	Significant number of submissions with consistent and similar problems identified	Possible review of the LDO to adjust development requirements criteria where appropriate
4	Annual number of submissions considered to be Environmental Impact Assessment type development	Significant number of EIA-type submissions, which would otherwise be acceptable?	Possible review of LDO after an EIA is undertaken and Environmental statement considered based on submission trends.
5	Number of enforcement actions by type required due to non compliance	Significant number of enforcement notices issued to businesses located at the A19 ULCV site in circumstances where development through normal planning procedures would otherwise be appropriate.	Possible review of LDO to extend range of appropriate alterations permissible

Reporting to the Secretary of State shall take place as part of the City Council's Annual Monitoring Report

Appendix 4 Self certification form

Appendix 4

SUBMISSION FORM

Before completing this notice please ensure that you have read and understood all the limitations and conditions that apply to your proposed development, including the requirements regarding occupancy and displacement.

1. Applicant Name and Address

Title
First Name
Last Name
Company (optional)
Address Line 1
Address Line 2
Address Line 3
Town
County
Country
Postcode

2. Agent Name and Address

Title
First Name
Last Name
Company (optional)
Address Line 1
Address Line 2
Address Line 3
Town
County
Country
Postcode

3. Site Address Details

Site 1 Turbine Park site ☐

Site 2 Vehicle Test Centre site ☐

4. Description of the Proposal

Please describe the proposed development, including any change of use:

5. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicle access proposed to or from the public highway?

Y ☐ N ☐

Is a new or altered pedestrian access proposed to or from the public highway?

Y ☐ N ☐

Are there any new public roads to be provided within the site?

Y ☐ N ☐

Do the proposals require any diversions/extinguishments and or creation of rights of way?

If you answered yes to any of the questions above, please show details on your plans/drawings and state the reference of the plan(s)/drawing(s)

6. Waste Storage and Collection

Do the plans incorporate areas to store and aid collection of waste

Y ☐ N ☐

If yes please provide details

Have arrangements been made for the separate storage and collection of recyclable waste?

Y ☐ N ☐

If yes please provide details

7. Materials

What materials are to be used externally? Include type, colour and name for each material:

Material Type	Proposed	N/A	Unknown
Walls			
Roof			
Windows			
Doors			
Boundary treatments (e.g. fences, walls)			
Vehicle access and hard-standing			
Lighting			
Others			

8. Vehicle Parking

Type of Vehicle	Proposed (incl.retained)
Cars	
Light goods/vehicles	
Public carrier vehicles	
Motorcycles	
Disability Spaces	
Cycle spaces	
Other (e.g. bus)	

9. Trees and Hedges

Are there any trees or hedges on the proposed development site?

Y ☐ N ☐

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development?

Y ☐ N ☐

If yes to either you may need to provide a full tree survey at the discretion of the Local Planning Authority. If a tree survey is required, this and the accompanying plan should be submitted alongside your submission.

10. Trade and effluent

Does the proposal involve the need dispose of trade effluents or waste?

Y ☐ N ☐

If yes please describe the nature, volume, and means of disposal of trade effluents or waste

11. All types of development: Floorspace

Use class/Type of use	Not applicable	Total gross internal floorspace proposed (sqm)
B1 (a) Offices		
B1 (b) Research & Development		
B1 (c) Light Industrial		
B2 General Industrial		
B8 Storage & Distribution		
Other		
Total (sqm)		

12. Employment

	Full time	Part time	Total FTE
Existing employees if transferring from another site			
Proposed employees			

13. Site Area

Please state the site area in hectares (ha)

14. Industrial or Commercial Processes and Machinery

Please describe the activities and processes which would be carried out on site and the end products including plant, ventilation or air conditioning. Please include the type of machinery which may be installed on site:

15. Hazardous Substances

Does the proposal involve the use or storage of any of the following materials in the quantities stated below?

Y ☐ N ☐ N/A ☐

If yes please provide the amount of each substance involved:

Substance	Y/N
Acrylonitrile (tonnes)	
Ethylene oxide (tonnes)	
Phosgene (tonnes)	
Ammonia (tonnes)	
Hydrogen cyanide (tonnes)	
Sulphur dioxide (tonnes)	
Bromine (tonnes)	
Liquid oxygen (tonnes)	

Flour (tonnes)	
Chlorine (tonnes)	
Liquid petroleum gas (tonnes)	
Refined white sugar (tonnes)	
Other (tonnes)	
Other (tonnes)	
Amount (tonnes)	
Amount (tonnes)	

16. Landowner's Consent

The landowner's consent must have been sought prior to submitting this scheme.
Please provide details below:

Name of owner	Address	Date notice served on owner
Signed – Applicant:	Or signed – Agent:	Date (DD/MM/YYYY)

17. Supporting Documentation – Submission Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal:

- Completed and dated Submission form
- Plan which identifies the land to which the proposal relates drawn to an identified scale and showing the direction of North
- Other plans and drawings or information necessary to describe the subject of the proposal and compliance with the LDO;

Supporting information:

- Transport Statement/Assessment & Framework Travel Plan as appropriate
- Appropriate Ecological Impact Assessment
- Associated Landscape and Ecology Masterplan and Statement
- Flood Risk Assessment (Development over 1ha)
- Phasing plan as appropriate
- BREEAM Assessment Design Stage
- Lighting Assessment
- Evidence to demonstrate proposal will not cause displacement of existing Businesses

18. Declaration

I confirm that the information provided in this notice and shown on the associated plans are to be the best of my knowledge correct at the time of completion and that, with the exception of any minor variations agreed in writing by the Local Planning Authority, I consider the proposed works to be permitted development under the permissions given notice by the above LDO.

Signed – Applicant:	Or Signed – Agent:	Date (DD/MM/YYYY):

19. Applicant Contact Details

Telephone numbers

Country Code	National number	Extension Number
Country Code	Mobile number (optional)	
Country Code	Fax number (optional)	
Email address		

20. Agent Contact Details

Telephone numbers

Country Code	National number	Extension Number
Country Code	Mobile number (optional)	
Country Code	Fax number (optional)	
Email address		

Appendix 5 Indicative Design framework

Sunderland A19 Ultra Low Carbon Vehicle Corridor

Enterprise Zone - Development framework

Key

Enterprise zone site boundary

Existing internal access route

Potential access routes

Designated wildlife corridor (UDP policy CN23)

Site of nature conservation importance (UDP policy CN21)

Coal Authority referral area

Important panoramic views (UDP policies CN13/14)

Multi-user route (UDP policies T8/9/10)

Highway verge

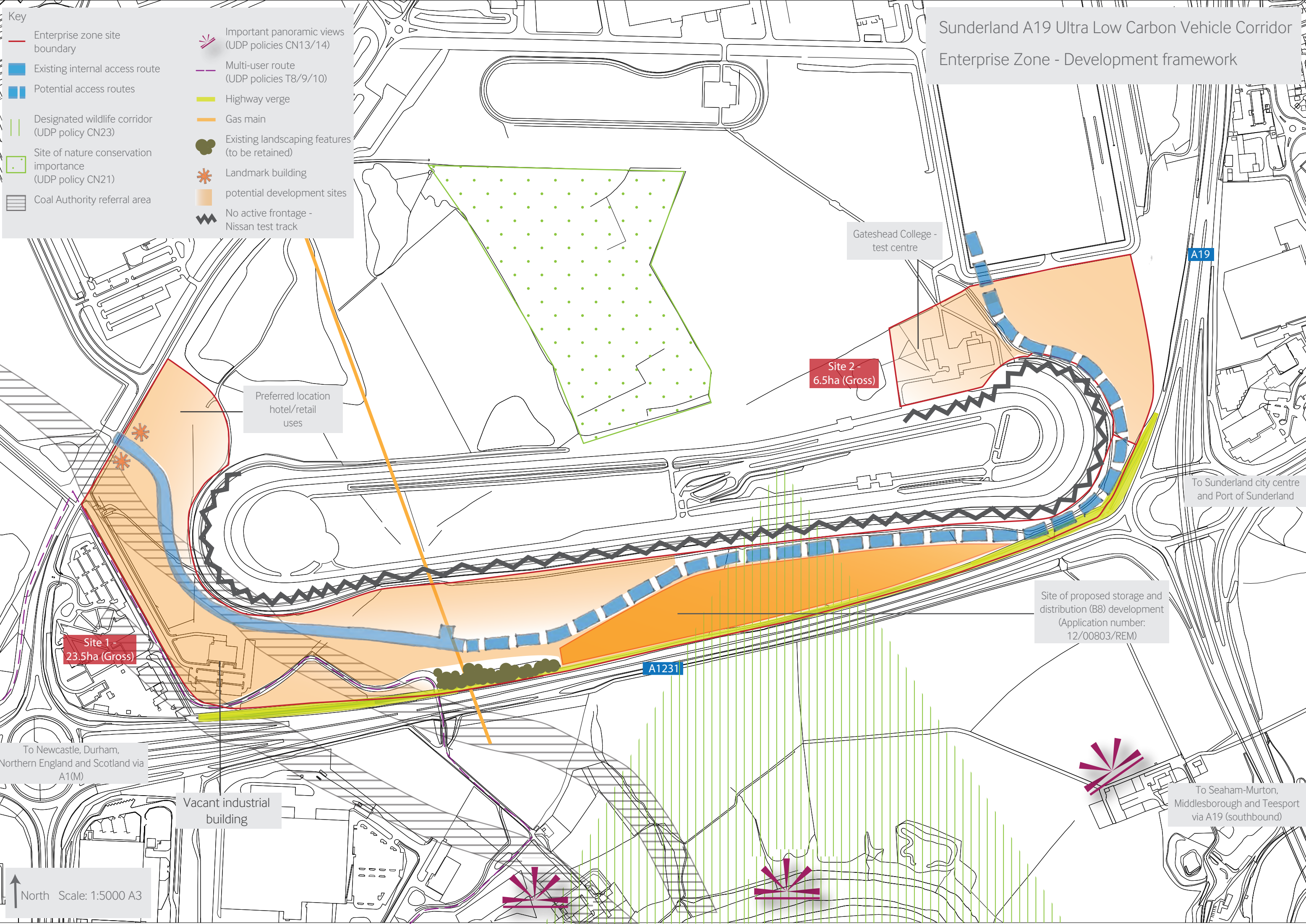
Gas main

Existing landscaping features (to be retained)

Landmark building

potential development sites

No active frontage - Nissan test track



Appendix 6 Air Quality Assessment Criteria

Appendix 6 – Air Quality Assessment Criteria

The following forms of development will require the submission of an Air Quality Assessment to be agreed with the City Council prior to the commencement of development.

The criteria below are based on Environmental Protection UK's Development control Planning for Air Quality (2010 update)

- Proposals that will generate or increase traffic congestion, where 'congestion' manifests itself as an increase in periods with stop start driving;
- Proposals that will give rise to a significant change in either traffic volumes, typically a change in annual average daily traffic (AADT) or peak traffic flows of greater than $\pm 5\%$ or $\pm 10\%$, depending on local circumstances (a change of $\pm 5\%$ will be appropriate for traffic flows within an AQMA), or in vehicle speed (typically of more than ± 10 kph), or both, usually on a road with more than 10,000 AADT (5,000 if 'narrow and congested');
- Proposals that would significantly alter the traffic composition on local roads, for instance, increase the number of HDVs by 200 movements or more per day, due to the development of a bus station or an HGV park (professional judgement will be required, taking account of the total vehicle flow as well as the change);
- Proposals that include significant new car parking, which may be taken to be more than 300 spaces outside an AQMA or 100 spaces inside an AQMA. Account should also be taken of car park turnover, i.e. the difference between short-term and long-term parking, which will affect the traffic flows into and out of the car park. This should also include proposals for new coach or lorry parks. These criteria are designed to trigger the requirement for the assessment of traffic on the local roads. It may also be appropriate to assess the emissions from within the car park itself;
- Developments which may significantly affect nitrogen deposition to sensitive habitats;
- Introduction of new exposure close to existing sources of air pollutants, including road traffic, industrial operations, agricultural operations etc;
- Proposals that include biomass boilers or biomass-fuelled CHP plant (there is no established criterion for the size of plant that might require assessment. Reference should be made to Environmental Protection UK's guidance on biomass);
- Consideration should be given to the impacts of centralised boilers or CHP plant burning other fuels (e.g. gas or oil) within or close to an AQMA.

- Proposals that could give rise to potentially significant impacts during construction for nearby sensitive locations, e.g. residential areas, areas with parked cars and commercial operations that may be sensitive to dust;
- Large, long-term construction sites that would generate large HGV flows (>200 movements per day) over a period of a year or more;
- Extension of, or new proposals for industrial activities with potentially significant air emissions; e.g. power stations, manufacturing or production activities

