

CABINET MEETING – 20th JUNE 2012

EXECUTIVE SUMMARY SHEET – PART I

Title of Report:

A19 Ultra Low Carbon Vehicle Enterprise Zone: Draft Local Development Order (Turbine Park and Vehicle Test Centre Site)

Author(s):

Deputy Chief Executive

Purpose of Report:

The purpose of this report is to seek Cabinet's approval of the A19 Ultra Low Carbon Vehicle Enterprise Zone Draft Local Development Order (Turbine Park and Vehicle Test Centre Site) for the purposes of public consultation

Description of Decision:

Cabinet is recommended to approve the A19 Ultra Low Carbon Vehicle Enterprise Zone Draft Local Development Order (Turbine Park and Vehicle Test Centre Site) for the purposes of public consultation.

Is the decision consistent with the Budget/Policy Framework? ***Yes**

If not, Council approval is required to change the Budget/Policy Framework

Suggested reason(s) for Decision:

The implementation of a simplified planning regime at the A19 Ultra Low Carbon Vehicle (ULCV) Corridor is required by the Department for Communities and Local Government (DCLG) as part of the package of measures set out under Enterprise Zone (EZ) status. A Local Development Order (LDO) is an established alternative form of administering the planning process and is considered the most appropriate means of simplifying planning procedures on all Enterprise Zone sites within the North Eastern Local Enterprise Partnership (LEP) area.

Alternative options to be considered and recommended to be rejected:

The alternative option is not to prepare a Local Development Order (LDO) for the Turbine Park and Vehicle Test Centre sites. The consequences of this would be a failure to implement a simplified planning regime for the EZ sites and therefore a failure to provide the full package of measures geared towards stimulating growth within designated EZ areas; as set out by the DCLG.

This would put the Sunderland EZ sites at a competitive disadvantage compared to other EZ sites within the North Eastern LEP area.

Impacts analysed:	
Equality <input type="text" value="Y"/>	Privacy <input type="text" value="N/A"/> Sustainability <input type="text" value="Y"/> Crime and Disorder <input type="text" value="N/A"/>
Is this a “Key Decision” as defined in the Constitution? Yes	Scrutiny Committee
Is it included in the Forward Plan? No	Scrutiny Lead Member for Skills, Economy, and Regeneration

**A19 ULTRA LOW CARBON VEHICLE ENTERPRISE ZONE : DRAFT
LOCAL DEVELOPMENT ORDER (TURBINE PARK & VEHICLE TEST
CENTRE SITE) FOR THE PURPOSES OF PUBLIC CONSULTATION**

REPORT OF THE DEPUTY CHIEF EXECUTIVE

1.0 Purpose of Report

- 1.1 The purpose of this report is to seek Cabinet's approval of the draft A19 Ultra Low Carbon Vehicle Enterprise Zone Draft Local Development Order (Turbine Park and Vehicle Test Centre Site) for the purposes of public consultation.

2.0 Description of Decision

- 2.1 Cabinet is recommended to approve the A19 Ultra Low Carbon Vehicle Enterprise Zone Draft Local Development Order (Turbine Park and Vehicle Test Centre Site) for the purposes of public consultation.

3.0 Background

- 3.1 As part of the coalition Government's plans to stimulate growth and the creation of new businesses and jobs, a new wave of Enterprise Zones (EZs) have been created. The stimulus for economic development with EZs is a package of measures primarily focused on financial incentives and simplified planning procedures.
- 3.2 Enterprise Zones are to be driven by Local Enterprise Partnerships (LEPs). Within the North Eastern LEP area, EZs have been designated at Sunderland, Blyth, North Tyneside and Newcastle.
- 3.3 The EZ for Sunderland comprises three sites to the west of the A19 totalling 42.9 Hectares (see attached plan):
- two adjoining sites located to the south of the Nissan car plant: Turbine Park (23.5 hectares) and the Vehicle Test Centre site (6.5 hectares);
 - Hillthorn Farm site situated approximately 700m to the west and adjacent to the Leamside railway line (12.9 hectares)
- 3.4 The North Eastern LEP seeks to support investment in a low carbon economy – in particular offshore wind energy and Ultra Low Carbon Vehicles. Accordingly, within the EZ sites, businesses in the Ultra Low Carbon Vehicles or Advanced Manufacturing sectors which seek to locate in the Sunderland EZ may benefit from Enhanced Capital Allowances or business rate discounts, and a simplified planning regime.

- 3.5 It has been agreed by the North Eastern LEP that the most appropriate means of implementing a simplified approach to planning on the EZ sites within the region is through Local Development Orders (LDOs). Further information on an LDO can be found in part 4.0 of this report.
- 3.6 It is intended to adopt two Local Development Orders for the Sunderland EZ sites; an LDO for Turbine Business Park (site 1 on the plan) and the Vehicle Test Centre (VTC) site (site 2); and a separate LDO for Hillthorn Farm (site 3).
- 3.7 Some preparatory work has already been undertaken on the Turbine Business Park site. It is considered that an LDO for this and the Vehicle Test Centre site can be brought forward immediately. Further masterplanning and feasibility work is required on the Hillthorn Farm site to determine options for its development, with consideration given to the presence of the Leamside Line and Nissan's future operational requirements. This work is currently ongoing and will inform the preparation of an LDO for the Hillthorn Farm site.

4.0 The Local Development Order

- 4.1 LDOs were first established within the 1990 Town & Country Planning Act with further revisions to the legislation most recently in the Town & Country Planning (Development Management Procedure) (England) Order 2010.
- 4.2 An LDO removes the requirement to obtain planning permission for certain types of development specified within the Order and consequently removes the requirement for a developer to submit an application for planning permission. This is on the provision that development proposals are in accordance with the uses and type of development specified in the LDO, and that other procedures and conditions in the LDO are adhered to. Should development proposals not accord with the Order, applicants will be required to pursue the normal route of obtaining planning permission.
- 4.3 LDOs should not be regarded as a withdrawal of planning control; instead they are a useful tool 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, and where the impact of development is expected to be insignificant. An LDO would be appropriate where under normal circumstances 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 Sunderland Enterprise Zone sites and the largely commercial nature of development envisaged, an LDO would be an appropriate means of administering the planning process in these areas.

- 4.4 The key advantages of an LDO to prospective developers of the EZ sites will be reduced costs through the removal of planning fees, a higher degree of certainty due to the site specific nature of the LDO and time savings associated with the circumventing of normal planning procedures.
- 4.5 LDOs relate only to simplifying planning procedures and 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.

5.0 Current position – A draft LDO for Turbine Business Park and VTC site

- 5.1 A draft LDO for Turbine Business Park and the VTC site has now been prepared.
- 5.2 This draft LDO will permit a number of primary uses: (B1a) Offices; (B1b) Research & Development; (B1c) Light Industry; (B2) General Industry; (B8) Storage and Distribution; (D1c) Education. A limited quantum of supporting amenity convenience facilities and potentially a hotel use will also be allowed on the Turbine Park site in accordance with an existing outline planning consent granted in December 2010.
- 5.3 Consistent with the LEP's low carbon growth agenda, the above uses will only be permitted under the proposed terms of the LDO provided it can be demonstrated that the associated operations will be linked to the Ultra Low Carbon Vehicles or Advanced Manufacturing sectors. Proposals for the above uses outside these sectors will need to be assessed under the normal planning procedures.
- 5.4 Proposals permitted under the draft LDO must conform to a set of development criteria and conditions set out within the draft LDO document. These matters relate to design of development (including site layout, building heights and use of materials), landscaping and planting, access and parking, contamination, noise and air quality, ecology and flood risk.
- 5.5 The draft LDO contains criteria which seek to avoid proposals which would result in the 'displacement' or relocation of existing businesses from within the City of Sunderland to the EZ sites simply because of the financial incentives available, resulting in no net economic growth or increased employment. In all cases developers will be required to submit a statement demonstrating how proposals will avoid displacement. Consideration must be given to employment growth, additional floor space and projected growth in output.
- 5.6 Development requiring an Environmental Impact Assessment will not be permitted under the draft Local Development Order.

- 5.7 It is envisaged that the LDO process will be overseen by the City Council's Planning Service. The draft LDO defines the procedural mechanics for the assessment of proposals and clarifies the information to be submitted to the City Council in the first instance. The draft LDO also sets out a procedure by which a developer notifies the Council of the proposed date to start development on site.
- 5.8 The draft LDO is set to be in place for 5 years after which the City Council will be able to either: re-adopt the LDO under the same criteria and conditions, re-adopt the LDO but modify the criteria and conditions; or revoke the LDO and return to the established planning system.
- 5.9 Copies of the draft LDO are available in the Member's Library.

6.0 Next steps

- 6.1 The draft LDO has already been circulated amongst relevant Officers for comment and engagement with the two landowners (Barmston Developments and Nissan) is ongoing.
- 6.2 Under the terms of the Town & Country Planning (Development Management Procedure) (England) Order 2010 a draft LDO must be subject to a period of public consultation. This will take the form of a six week consultation period, with relevant material circulated to consultees and available on a dedicated council website, together with required public notices and other appropriate publicity. During the consultation period the draft LDO will be submitted to Scrutiny and Planning & Highways Committees for consideration.
- 6.3 If objections are received during the consultation period, which require material changes to be made to the LDO, a further report will be taken to Cabinet for consideration. If no objections are received the document will be submitted directly to the Secretary of State for consideration. Once all relevant consultations have been undertaken, a finalised LDO for EZ sites 1 & 2 will be presented to Cabinet in the autumn seeking approval to adopt.

7.0 Reasons for decision

- 7.1 The implementation of a simplified planning regime at the A19 Ultra Low Carbon Vehicle (ULCV) Corridor is required by the Department for Communities and Local Government (DCLG) as part of the package of measures set out under Enterprise Zone (EZ) status. A Local Development Order (LDO) is an established alternative form of administering the planning process and is considered the most appropriate means of simplifying planning procedures on all Enterprise Zone sites within the North Eastern Local Enterprise Partnership (LEP) area.

8.0 Alternative options

- 8.1 The alternative option is not to prepare a Local Development Order (LDO) for the Turbine Park and Vehicle Test Centre sites. The consequences of this would be a failure to implement a simplified planning regime for the EZ sites and therefore a failure to provide the full package of measures geared towards stimulating growth within designated EZ areas; as set out by the DCLG.

This would put the Sunderland EZ sites at a competitive disadvantage compared to other EZ sites within the North Eastern LEP area.

9.0 Relevant considerations

- 9.1 a) Financial Implications - With the exception of the costs associated with the consultation process, the LDO will not involve any direct costs to the Council. The consultation costs can be met from existing revenue budgets.

b) Policy Implications - The document has been prepared to meet the requirements of relevant local and national planning policy.

c) Sustainability Implications –An Sustainability Impact Assessment has been completed and demonstrated that LDO will deliver a net positive sustainability impact

d) Equality Implications – An Equality Impacts Assessment will be completed in parallel with the proposed consultation of the draft LDO

10.0 Background papers

- Draft Local Development Order
- Sunderland Ultra Low Carbon Vehicles Enterprise Zone Site Plan

