

**THE LANCASHIRE ADVANCED ENGINEERING AND  
MANUFACTURING ENTERPRISE ZONE (SAMLESBURY)  
LOCAL DEVELOPMENT ORDER No 1 (2012)**

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

**CONSULTATION VERSION**

# THE LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (SAMLESBURY) LOCAL DEVELOPMENT ORDER No 1 (2012)

## STATEMENT OF REASONS

THE LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (SAMLESBURY) LOCAL DEVELOPMENT ORDER No 1 (2012) is part of a phased approach to the development of the Samlesbury part of the Lancashire Enterprise Zone. The LDO, and the terms within it, will be active for a period of 3 years following the day of its adoption. A Master Plan will be prepared that will place this LDO within a strategic context and establish a framework for long-term strategic objectives for the Enterprise Zone. Preparation of the Master Plan will commence in 2012 with the intention that it will be adopted by Ribble Valley Borough Council and South Ribble Borough Council upon completion. Future LDOs, to be prepared over the next 3 years, will replace this LDO.

### 1.1 Introduction

#### 1.1.1

Local Development Orders (LDOs) were introduced in the Planning and Compulsory Purchase Act 2004 and allow Local Planning Authorities to extend permitted development rights for certain forms of development. The Planning Act 2008 removes a former requirement that LDOs should implement policies set out in adopted local development documents.

#### 1.1.2

Article 34 of the Town and Country Planning (Development Management Procedure) (Order) 2010 (DMPO) paragraph (1) outlines that '*where a local planning authority propose to make a local development order (LDO) they shall first prepare—*

*(a) a draft of the order; and*

*(b) a statement of their reasons for making the order'.*

A draft of the LDO is provided at Appendix 1.

#### 1.1.3

Article 34 paragraph (2) of the DMPO states that '*the statement of reasons shall contain—*

*(a) a description of the development which the order would permit; and*

*(b) a plan or statement identifying the land to which the order would relate'.*

This document is the statement of reasons for making the LDO. A plan identifying the land to which the LDO relates is attached at Appendix 2. The boundary of the Enterprise Zone is included in Appendix 3.

#### 1.1.4

The boundary between Ribble Valley Borough Council and South Ribble Borough Council runs through the LDO area. Each Local Planning Authority will be adopting a separate but identical LDO, but consulting jointly.

## 1.2 Background

### 1.2.1

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

### 1.2.2

Building on the resurgence of advanced manufacturing and Government's re-commitment to positioning the UK as a leading force in the global advanced engineering and manufacturing arena, the Lancashire Enterprise Zone will become a national focal point for the sector, helping to mitigate the impact of the potential job losses at the Warton Unit and the wider impact this will have on the Lancashire economy. Lancashire is one of the most important centres for high technology manufacturing in the UK, second only to the South East. Accounting for a quarter of local GVA, the sector directly and indirectly affects all aspects of Lancashire's £23.3bn economy.

### 1.2.3

The Enterprise Zone will support genuine additional growth, creating new businesses and new jobs through a combination of inward investment, specifically the introduction of new Tier 1 companies to the UK securing reinvestment, and the growth of SMEs through technology spin-out businesses and new business starts. The Enterprise Zone will aim to provide the opportunity to create 4,000 to 6,000 high value jobs in the long term and 1,200 jobs in the short to medium term, capitalising on new and emerging market opportunities in the advanced engineering and manufacturing sector. This will strengthen and grow local supply chains through modernisation of the sector in Lancashire and the UK, whilst providing a complementary offer to other national centres, including the Advanced Manufacturing and Research Centre in Sheffield. It is not the intention of the Enterprise Zone to displace existing companies that are already located in Lancashire.

### 1.2.4

The Enterprise Zone will help to deliver the Lancashire Enterprise Partnership's ambitions to drive sustainable economic growth and prosperity in Lancashire by maintaining and increasing the tradition of providing world class products and services made in Lancashire, generating and securing high value jobs, through the supply chain tiers and the Small and Medium Enterprises (SME) base within the advanced engineering and manufacturing sector,

### 1.2.5

The Lancashire Enterprise Partnership (LEP) will manage and co-ordinate activities related to the Enterprise Zone through an Enterprise Zone Governing Body in association with the Land Owner to assess each proposed development to ensure that the displacement of existing Lancashire based companies does not occur and that any development is genuine growth in and support to the advanced engineering and manufacturing sector. Activity will focus on international inward investment. This will further strengthen the UK's advanced engineering and manufacturing capabilities, building upon BAE Systems significant operations in Lancashire as well as the aerospace capabilities in the North West and UK. The Enterprise Zone

Governing Body, in association with the Land Owner, will coordinate and manage the development of surplus land and property at the Samlesbury and Warton sites, which will be achieved through a scaled development approach across the Warton Unit.

#### 1.2.6

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

### 1.3 Why a LDO?

#### 1.3.1

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

#### 1.3.2

The purpose of the LDO is to:

- (1) Authorise development within Class B of the Town and Country Planning (Use Classes) Order 1987 as amended in so far as it relates to advanced engineering and manufacturing.

Advanced engineering and manufacturing typical uses may include:

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

AND

- (2) Authorise development within Class D1 of the Town and Country Planning (Use Classes) Order 1987 as amended for a non-residential education and training centre. The non-residential education and training centre will be used for the purposes of a Regional Skills Academy.

### 1.3.3

Development for purposes falling within the above SIC Codes is automatically within the scope of the LDO. However, advanced engineering or manufacturing purposes which fall outside of the above SIC Codes, or for complementary or supporting or ancillary uses, would potentially also be acceptable, and where such purposes are proposed the Local Planning Authority, following a recommendation of the Enterprise Zone Governing Body, will make an assessment of each such proposed development to ensure that they are within the permitted uses under the LDO.

### 1.3.4

Development outside the scope of the LDO will require the submission of a planning application. The Local Planning Authority will prioritise all proposals for development within the Enterprise Zone.

### 1.3.5

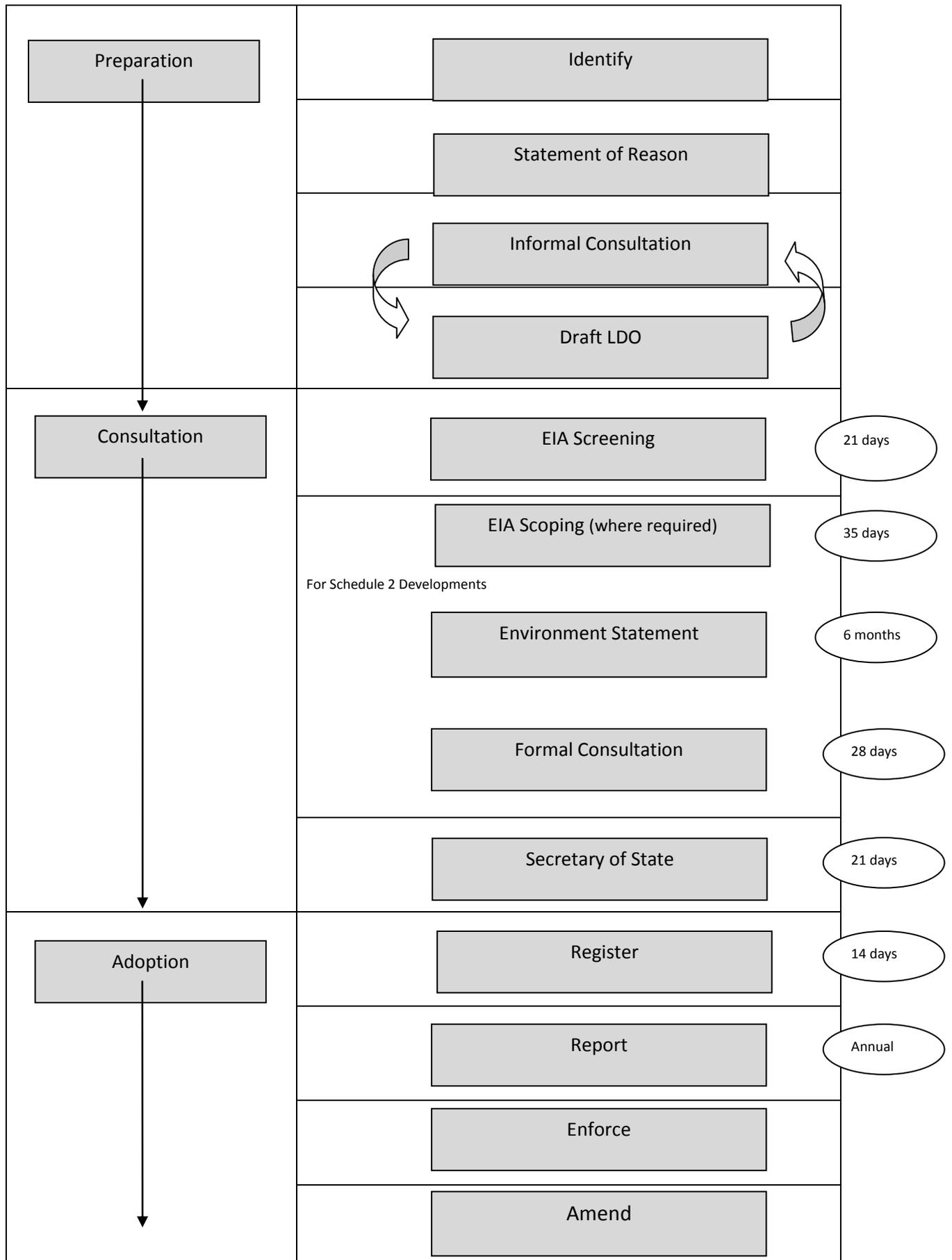
There are a number of key drivers behind the LDO in that it will:

- provide a comprehensive outline of all development that is permitted in Parcel A (which is shown on the Plan at Appendix 2 of the LDO), without the need for further planning permission;
- enable and facilitate development and allow sustainable economic growth to happen rapidly without further planning constraint allowing the developer to react quickly to market opportunities;
- enable the Enterprise Zone to rapidly respond accordingly to the requirements of advanced engineering and manufacturing firms;
- establish a framework for the overall development of Parcel A, which can promote and communicate a clear policy to stakeholders and potential investors;
- build up confidence in and inform the community of future development in Parcel A;
- improve investor and occupier clarity, certainty and confidence;
- realise the Enterprise Zone's full economic potential as a national centre for advanced engineering and manufacturing activity;
- reduce the burden on the local planning authority, parish councils and consultees; and
- demonstrate a positive approach to planning.

## 1.4 LDO process

### 1.4.1

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



## 1.5 Development within Parcel A

### 1.5.1

The LDO provides an opportunity to permit development across Parcel A in line with Classes B and D1 of the Town and Country Planning (Use Classes) Order 1987 as amended in so far as Class B is for the purposes of advanced engineering and manufacturing and Class D1 in respect of the development of a non-residential education and training centre for to be used as a Regional Skills Academy.

### 1.5.2

The LDO is designed to be flexible and responsive to change but it is not open-ended and has a number of conditions which need to be discharged by the Local Planning Authority. These are as follows:

- (1) Development is permitted by the LDO where it is for the purpose of advanced engineering and manufacturing and falls within the following SIC Codes:
  - Aerospace (30.3, 28.4);
  - General Aviation Services (52.23);
  - High-end automotive including motorsport, electric/alternative energy vehicles, (29.1, 29.3);
  - Computing, systems engineering and autonomous systems (62.01, 72.1);
  - Nuclear (35.1);
  - Advanced flexible materials (13.96, 20.6);
  - Renewable Energy (27.1).
- (2) Development for advanced engineering or manufacturing purposes or for ancillary, complementary or supportive uses which fall outside of the SIC Codes referred to in Condition 1 is permitted by the LDO, subject to the condition that prior to the commencement of development, the developer must notify the Local Planning Authority of its proposal and the Local Planning Authority, following a recommendation from the Enterprise Zone Governing Body, must be satisfied that the proposed development is for the purpose of advanced engineering or manufacturing or ancillary complementary or supportive uses and notifies the developer accordingly. Such development shall not be commenced unless and until the Local Planning Authority shall have so notified the developer or the 28 day period specified below has passed without a response from the Local Planning Authority. The Local Planning Authority shall respond in writing to such notification within 28 working days provided that if no response has been received within the 28 day period it shall be deemed to be considered satisfactory by the Local Planning Authority.
- (3) Prior to the commencement of development the developer shall provide copies of plans to the local planning authority for information.
- (4) Development shall not exceed the height of existing buildings at the Samlesbury site.
- (5) Development is permitted by the LDO subject to the condition that the proposed materials and colours shall be generally compatible with those of

nearby buildings and must contribute positively to the visual character of the locality.

- (6) Access arrangements for proposed development under the LDO shall be submitted to the Local Planning Authority for approval (in consultation with the local highway authority) and the development shall proceed in accordance with the approved details. The Local Planning Authority shall respond within 28 days of receiving the details of the access arrangements and if no response is received from the Local Planning Authority within this 28 day period then the arrangements shall be deemed to be approved.
- (7) All highway works on and off site shall be implemented pursuant to appropriate agreements entered into under the Highways Act 1980 and in accordance with details and any mitigation measures submitted to and approved by the Local Planning Authority in consultation with the Local Highway Authority.
- (8) Developments that exceed standard thresholds (national) (Appendix 4) shall have a Travel Plan approved by the Local Planning Authority parking levels for all developments to be in line with Local Planning Authority standards.
- (9) Construction vehicles associated with development shall endeavour not to enter or leave the site during peaks of the local network or peaks of the existing BAE Systems site. Construction vehicles must not wait on the local highway network prior to accessing the site.
- (10) In the event that the Local Planning Authorities adopt a Master Plan for the Enterprise Zone, development proposed under the LDO shall be in general accordance with the principles of the adopted Master Plan.

## **1.6 Environmental Impact Assessment**

### **1.6.1**

Regulation 29 of the Town and Country Planning (Environmental Impact Assessment) Regulations (Statutory Instrument 2011/1824) applies in relation to Schedule 2 development for which a Local Planning Authority propose to grant planning permission by the LDO.

### **1.6.2**

A request for EIA Screening Opinions has been made to Ribble Valley and South Ribble Borough Councils to establish whether an Environmental Statement is required in respect of development in Parcel A. The Local Planning Authorities will issue a Screening Opinion prior to the LDOs being submitted to the Secretary of State.

## **1.7 How does the LDO relate to other planning documents?**

### **1.7.1**

Ribble Valley District wide Local Plan (adopted June 1998):

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

#### 1.7.2

South Ribble Local Plan (adopted February 2000):

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

#### 1.7.3

Central Lancashire Local Development Framework Publication Core Strategy (December 2010):

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

#### 1.7.4

South Ribble Borough Council has consulted on a Preferred Options Site Allocations and Development Management Policies Development Plan Document. Within this document Policy C4 – BAE Systems Samlesbury was intentionally left blank as the Council were awaiting information on the Enterprise Zone bid that was submitted for the site. Following the granting of Enterprise Zone status by Government, the Council has consulted on Policy C4 which protects the strategic designation of the site including the BAE Systems site core area and its operations, and supports the delivery of the Enterprise Zone.

#### 1.7.5

Outline planning applications were submitted to Ribble Valley and South Ribble Borough Councils in July 2006 for the expansion of existing aerospace manufacturing and engineering facility to include additional industrial (57,884 sq m) and office space (39,048 sq m), with associated access, car parking, surface water attenuation works and ancillary reception building, crèche and restaurant facilities (total ancillary floor space 2,916 sq m). The applications included the eastern part of Parcel A. Outline planning permissions were granted in May 2007 by Ribble Valley Borough Council (Application Code No: 3/2006/0583) and South Ribble Borough Council (Application Code No 07/2006/0824). The Outline Planning Permissions required applications for Reserved Matters to be submitted not later than the expiration of 15 years from the date of the consents. These consents are helpful in that they demonstrate acceptable principles for the development of the land included in the LDO.

#### 1.7.6

A Master Plan will be prepared that will supplement this LDO and establish a framework for the long-term strategic objectives for the Enterprise Zone. Preparation of the Master Plan will commence in 2012 with the intention that it will be adopted by Ribble Valley Borough Council and South Ribble Borough Council upon completion. Following adoption of the Master Plan, development brought forward under the LDO shall need to comply with the Master Plan's principles. Future LDOs to be prepared over the next 3 years will replace this LDO.

### 1.7.7

The Guiding Principles for the Master Plan are to:

- Create a high quality, development providing people with a healthy workplace in an inspirational, successful and vibrant environment which promotes the creation of an active, inclusive and harmonious community, while ensuring improvement and enhancement of the existing;
- Encourage investment, create jobs and build a flourishing and sustainable economy;
- Provide a healthy working environment based upon the creation of a strong, inclusive and vibrant community using sustainable transport, movement and travel; and
- Create an environment reflective of the area whilst supporting better links and integration.

### 1.7.8

The Master Plan will address the following matters:

- Provision and coordination of transport infrastructure within and beyond the Enterprise Zone boundary;
- Preparation and provision of a Travel Plan;
- Access to the Enterprise Zone and its integration to the existing public highway network and proposals for on-site/off-site works required as a result of the development;
- On-site parking;
- Protection of BAE Systems core operations;
- Provision of utilities supply and integration of new supplies with the existing;
- Provision of superfast broadband outside the BAE Systems secure area.
- Implementation of a Design Code (including height restrictions; palette of materials);
- Details of building materials;
- Provision of on-site structural landscaping;
- Avoidance of ecological impacts, measures to offset unavoidable ecological impacts, the delivery of biodiversity enhancements, the maintenance and enhancement of habitat connectivity and buffer zones around habitats of ecological importance;
- Provision of drainage.

### 1.7.9

Future LDOs at Samlesbury will incorporate the Master Plan. Future LDOs will not revisit the aspirations and overall conclusions of the Master Plan, but instead will act as a tool to facilitate delivery and to guide its implementation.

## **1.8 Other Statutory Requirements**

### 1.8.1

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

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

## **1.9 Area covered by LDO**

### **1.9.1**

The LDO has been prepared to cover all land within Parcel A. Parcel A is 16 hectares in extent. The boundary of Parcel A is shown in Appendix 2.

## **1.10 Consultation on the LDO**

### **1.10.1**

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

### **1.10.2**

As part of the preparation of this LDO the following consultation arrangements have been put in place:

- The draft LDO, a plan and the Statement of Reasons will be placed on the websites of Ribble Valley and South Ribble Borough Councils. Consultation will be undertaken from 2<sup>nd</sup> February 2012 until 29<sup>th</sup> February 2012 (28 days).
- Following the expiry of the consultation all responses will be recorded, analysed and assessed in a Statement of Community Involvement report which will inform preparation of the final version of the LDO.

## **1.11 Structure of the LDO**

### **1.11.1**

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

- Development to be permitted by the LDO;
- Development falling outside the scope of the LDO and, therefore requiring the submission of a planning application;
- Conditions pertinent to all specified Classes.

## **2. SUMMARY OF THE LOCAL DEVELOPMENT ORDER**

### **2.1.1**

The LDO seeks to grant permission for development for advanced engineering and manufacturing uses in Parcel A of the Enterprise Zone subject to a number of conditions.

## **APPENDIX 1**

### **THE LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (SAMLESBURY) LOCAL DEVELOPMENT ORDER No 1 (2012)**

#### **Lifetime of the LDO and options following its expiry**

The LDO, and the terms within it, will be active for a period of 3 years following the day of its adoption, and will expire following this period. However, the LDO may be revoked within this period if a replacement LDO for the site is advanced and adopted during that period.

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

Options following its expiry:

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

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

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

#### **Development permitted by this LDO**

- (1) The carrying out of development (including the erection or alteration of a building) within Use Class B for the purposes of advanced engineering and manufacturing;
- (2) The carrying out of development (including the erection or alteration of a building) ancillary to such purposes;
- (3) The carrying out of development (including the erection or alteration of a building) within Use Class D1 for the purposes of a non residential education and training centre.

#### **Development is not permitted by the LDO**

If it would require the submission of an Environmental Statement pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

#### **Conditions**

- (1) Development, falling within Use Class B, is permitted by the LDO where it is for the purpose of advanced engineering and manufacturing and falls within the following SIC Codes:

- Aerospace (30.3, 28.4);
  - General Aviation Services (52.23);
  - High-end automotive including motorsport, electric/alternative energy vehicles, (29.1, 29.3);
  - Computing, systems engineering and autonomous systems (62.01, 72.1);
  - Nuclear (35.1);
  - Advanced flexible materials (13.96, 20.6);
  - Renewable Energy (27.1).
- (2) Development for advanced engineering or manufacturing purposes or for ancillary, complementary or supportive uses which fall outside of the SIC Codes referred to in Condition 1 is permitted by the LDO, subject to the condition that prior to the commencement of development, the developer must notify the Local Planning Authority of its proposal and the Local Planning Authority, following a recommendation from the Enterprise Zone Governing Body, must be satisfied that the proposed development is for the purpose of advanced engineering or manufacturing or ancillary complementary or supportive uses and notifies the developer accordingly. Such development shall not be commenced unless and until the local planning authority shall have so notified the developer or the 28 day period specified below has passed without a response from the Local Planning Authority. The Local Planning Authority shall respond in writing to such notification within 28 working days provided that if no response has been received within the 28 day period it shall be deemed to be considered satisfactory by the Local Planning Authority.
- (3) Prior to the commencement of development the developer shall provide copies of plans to the Local Planning Authority for information.
- (4) Development shall not exceed the height of existing buildings at the Samlesbury site.
- (5) Development is permitted by the LDO subject to the condition that the proposed materials and colours shall be generally compatible with those of nearby buildings and must contribute positively to the visual character of the locality.
- (6) Access arrangements for proposed development under the LDO shall be submitted to the Local Planning Authority for approval (in consultation with the Local Highway Authority) and the development shall proceed in accordance with the approved details. The Local Planning Authority shall respond within 28 days of receiving the details of the access arrangements and if no response is received from the Local Planning Authority within this 28 day period then the arrangements shall be deemed to be approved.
- (7) All highway works on and off site shall be implemented pursuant to appropriate agreements entered into under the Highways Act 1980 and in accordance with details and any mitigation measures submitted to and

approved by the Local Planning Authority in consultation with the Local Highway Authority.

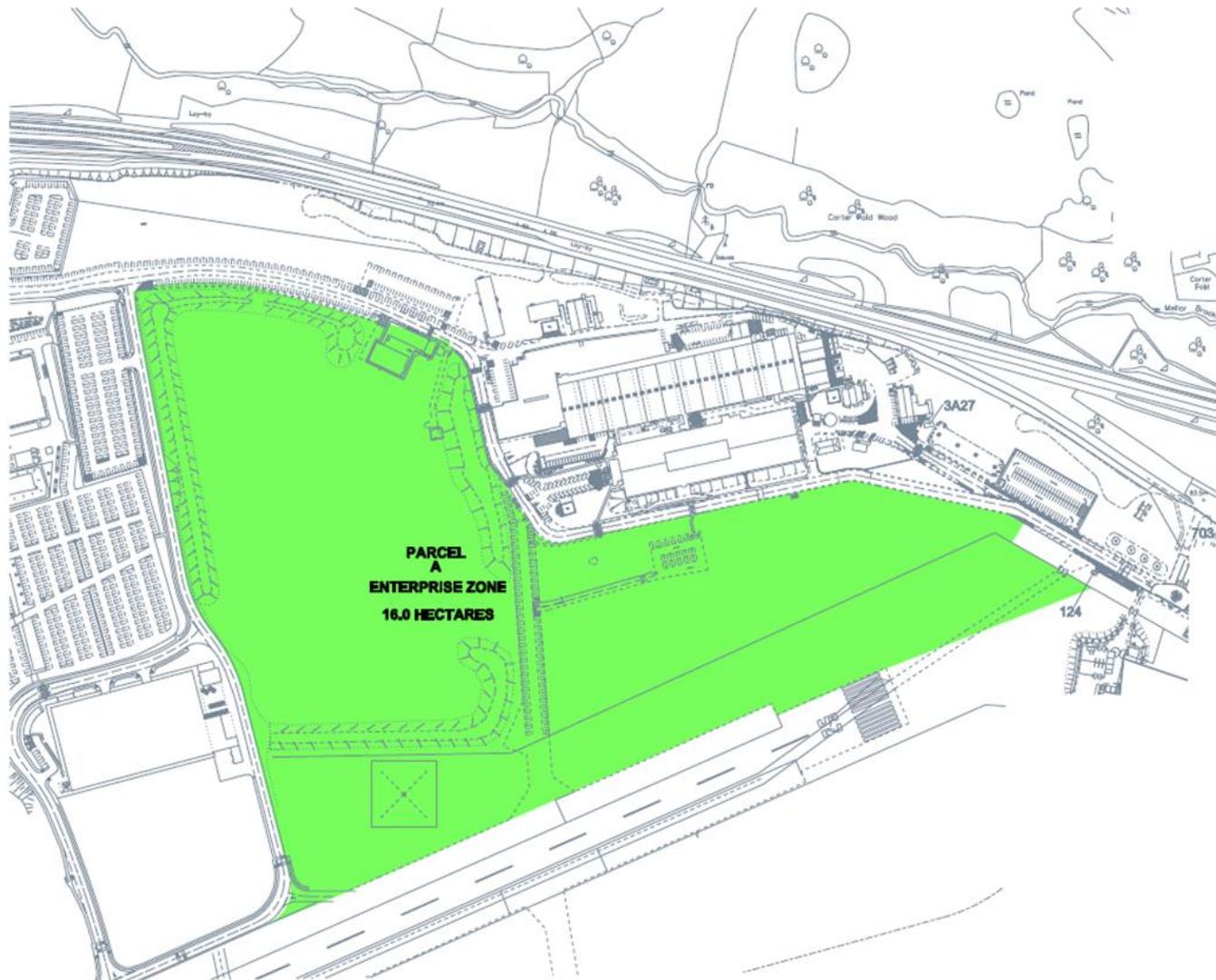
- (8) Developments that exceed standard thresholds (national) (See Appendix 4) shall have a Travel Plan approved by the Local Planning Authority parking levels for all developments to be in line with Local Planning Authority standards.
- (9) Construction vehicles associated with development shall endeavour not to enter or leave the site during peaks of the local network or peaks of the existing BAE Systems site. Construction vehicles must not wait on the local highway network prior to accessing the site.
- (10) In the event that the local planning authorities adopt a Master Plan for the Enterprise Zone, development proposed under the LDO shall be in general accordance with the principles of the adopted Master Plan.

Note: Where development details submitted indicate that there are likely to be significant adverse impacts on the local highway network the developer shall submit for approval by the Local Planning authority (in consultation with the Local Highway Authority) proposed on-site and/or off-site works to mitigate such impacts. Where the information provided demonstrates that significant adverse impacts on the local highway network cannot be appropriately mitigated, a planning application will be required for the development.

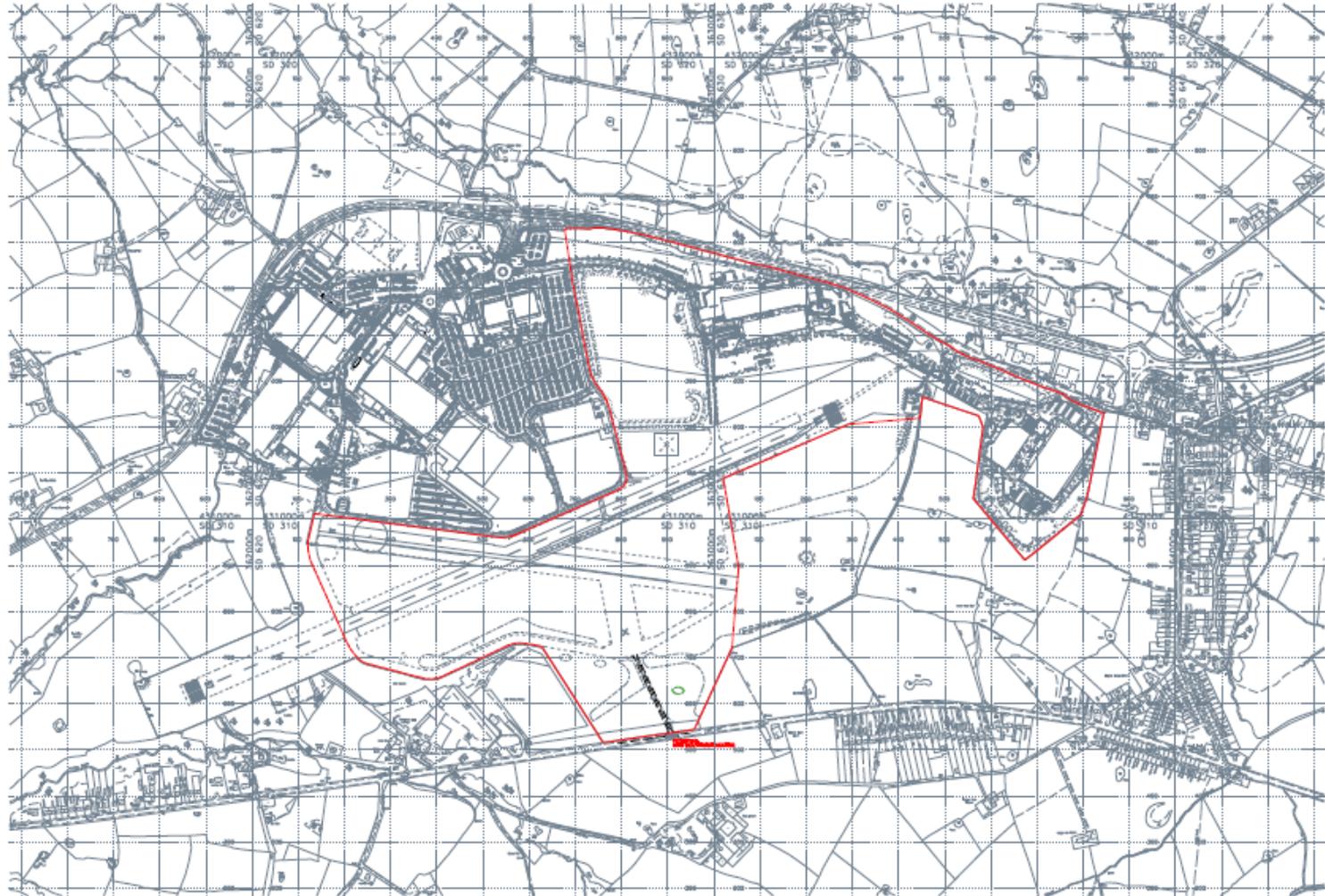
### **Interpretation**

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

**APPENDIX 2 – Map of Parcel A (Samlesbury)**



### APPENDIX 3 – Map of Lancashire Enterprise Zone (Samlesbury)



## APPENDIX 4 – National Thresholds

Use Class	Travel Plan Threshold
	M <sup>2</sup> GFA unless stated
A1 Food retail	>800
A1 Non Food Retail	>1500
A2 Financial and professional services	>2500
A3 Restaurants and cafes	>2500
A4 Drinking establishments	>600
A5 Hot Food Takeaways	>500
B1 (a) Offices Other than those within A2; (b) Research and Development; and (c) Light Industry	>2500
B2 General Industry	>4000
B8 Storage and Distribution	>5000
C1 Hotels	>100 bedrooms
C2 Residential Institutions, Hospitals and nursing homes	>50 beds
C2 Residential College and school	>150 students
C2 Residential Institutions – Institutional hostels	>400 residents
C3 Dwelling Houses	>80 units
D1 Non residential institutions	>1000
D2 Assembly and leisure	>1500
Other	Discuss with LCC Highways Team.