

REPORT TO THE EXECUTIVE



DATE	25th June 2013
PORTFOLIO	Regeneration & Planning Policy
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Burnley Aerospace Supplier Park - Local Development Order (Revised Draft)
PURPOSE

1. To seek approval to progress the Revised Draft Burnley Aerospace Supplier Park Local Development Order (attached at Appendix 1) to adoption.

RECOMMENDATION

2. It is recommended that the Executive approve for adoption the Revised Draft Burnley Aerospace Supplier Park Local Development Order subject to Secretary of State (S.O.S.) approval, if needed.

REASONS FOR RECOMMENDATION

3. The purpose of the Local Development Order is to accelerate development at the Burnley Aerospace Supplier Park site through simplifying the planning permission requirements on the site. This will give businesses and developers more certainty in an uncertain economic climate by detailing the specific types of development and uses which are permitted.

SUMMARY OF KEY POINTS
4. What is a Local Development Order (LDO)?

LDOs were introduced with 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 the requirement that LDOs should implement policies set out in adopted local development documents.

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’.

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. The text in this document acts as the statement of reasons for making the LDO.

A plan identifying the land to which the LDO relates is attached at Appendix 3 of the LDO.

5. Why a Local Development Order?

Research shows that businesses in the target sectors need designated sites with modern premises. There is a latent demand in the area for quality industrial space from local firms seeking to grow. Research highlights that a lack of appropriate sites and aging stock of premises acts as a barrier to winning investment and supporting growth in the aerospace and advanced manufacturing supply chain.

The Local Development Order will accelerate development at the Burnley Aerospace Supplier Park site through simplifying the planning permission requirements on the site. This will give businesses and developers more certainty in an uncertain economic climate by detailing the specific types of development and uses which are permitted.

The site will aim to provide the opportunity to create 1,000 high value jobs, capitalising on new and emerging market opportunities in the aerospace and advanced engineering and manufacturing sector.

6. LDO Consultation

LDO consultation procedures are set out in Article 34 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010/2184).

It is a requirement that LDO’s are the subject of local consultation, which must include any person with whom the local planning authority would have been required to consult on an application for planning permission for the development proposed to be permitted by the LDO.

The draft LDO has been through the internal consultation process within Burnley Borough Council, and a four week public consultation exercise, which ended on 17th May 2013. A summary of the responses received is attached at Appendix 2.

In summary, there was general support for the proposed LDO, with some minor text amendments requested, and the requirement for extra conditions to be imposed on developments.

7. Proposed Amendments

The proposed changes are set out in the consultation response table, attached at Appendix 2. These are included in the Revised Draft Burnley Aerospace Supplier Park Local Development Order which is attached at Appendix 1, Part 1. Further detailed Appendices are available at www.burnley.gov.uk as Appendix 1 Part 2.

8. Adoption Process

As set out above the LDO has been amended to reflect the various comments submitted by consultees. The document now requires approval from the Executive, so that it can be submitted to the S.O.S. for final consultation, for a period a 28 days. If the Secretary of State does not raise any issues with document, it can be adopted by the Council.

The new Growth and Infrastructure Act 2013 became law on 25th April 2013 following Royal Assent. The Act amends the Development Management Procedure Order, removing the need for the S.O.S. to approve LDO's. However the commencement order relating to the part relevant to Local Development Orders has not yet been put in place, however, this is due imminently, and may remove the need for the Council to submit the document to the S.O.S.

Therefore this report recommends that the document is approved for adoption should the commencement order be put in place prior to S.O.S. submission.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

9. Adoption of the document is likely to lead to a loss in planning application fees, as a Local Development Order removes the need to apply for planning permission for schemes in accordance with its conditions.
10. However, the site will become more attractive to potential occupiers, and will speed up development, with the Council subsequently benefiting from an increase in business rates.

POLICY IMPLICATIONS

11. It is intended that this document will contribute towards the delivery of the Community Strategy for Burnley, and Policy EW5 (Development and Improvement of Major Industrial Estates) of the adopted Local Plan.

DETAILS OF CONSULTATION

12. Consultation has taken place with the Director of Regeneration and Economic Development and Head of Housing Development.

BACKGROUND PAPERS

13. None.

FURTHER INFORMATION

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ALSO: Kate Ingram