

Stratton Business Park Local Development Order

Report of Cllr Nigel Young, Executive Member for Regeneration
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This report relates to a non-Key Decision

Purpose of this report

1. The report outlines a proposal to adopt a Local Development Order (LDO) for Stratton Business Park in Biggleswade.
2. LDO's allow Local Planning Authorities to extend permitted development rights for certain specified forms of development. These are developments for which planning permission would normally be granted, and come with proposed conditions and restrictions which would normally be imposed through planning permission. The LDO is intended to help businesses by making the planning process quicker, easier and cheaper, making the site in question more attractive for investors and occupiers, therefore encouraging employment growth, whilst ensuring that nearby residents are protected.

RECOMMENDATIONS

The Executive is asked to:

1. **adopt the proposed Local Development Order for Stratton Business Park, Biggleswade to assist economic and employment growth in the area.**

Overview and Scrutiny Comments/Recommendations

3. The item did not go to Overview and Scrutiny. After discussion with the Executive member and Director responsible for this piece of work, it was decided that it was not necessary based on the nature of the item. This decision has been checked and agreed by the Chairman of Sustainable Communities Overview and Scrutiny Committee, Cllr McVicar.

Issues

Background

4. LDO's were introduced with the Planning and Compulsory Purchase Act 2004, and allow Local Planning Authorities to extend permitted development rights for certain specified forms of development to enable businesses and landowners to undertake a greater range of works without the need for planning permission.

Stratton Park

5. Stratton Park is a purpose built business park / industrial estate, currently extending to approximately 36 hectares. There are further phases of development already allocated and proposed through the submitted Development Strategy, and when all of these are developed, the site will extend to around 83 hectares. Stratton Park is located adjacent to the A1, some 45 miles north of London, and less than 30 miles north of the M25. The site enjoys easy access onto the A1 which makes it an attractive location for business. Stratton Park first saw development in the 1990s and the site has been steadily developing since that date.
6. Stratton Park is well suited to a Local Development Order. It is a substantial, purpose built established industrial / employment area, with well-defined development parameters and site boundaries, but with some scope for intensification. The units are generally of a modern appearance and in good condition, but there will always be scope for updates, minor works and similar type development. In addition, there is significant land available for future development which could grow the Park substantially and provide space for new occupiers or enable the expansion of existing occupiers.
7. In a business park / industrial estate such as this, a considerable range of minor works will be uncontroversial and planning applications for such work are normally determined under delegated authority. It would be advantageous to make this process easier and quicker where possible.

Benefits of the LDO

8. Benefits of the proposed LDO include making it easier for occupiers and landowners, ensuring appropriate protections are in place for neighbours, providing Stratton with a source of competitive advantage compared to areas along the A1 corridor, encouraging employment and the growth of companies on the park, facilitating the upkeep and ongoing maintenance of the Park and demonstrating a positive approach to planning and the general desire by the Council to support businesses.

The Agrifood Sector and Food Enterprise Zone

9. Stratton Park is a key location for the food sector of the economy, and this is a sector which Central Bedfordshire Council sees as a very important one for the future growth of the local economy, and is keen to encourage. As well as Jordan's, Stratton Park also houses Kramp, Bibby Distribution, Woods Bakery and many companies in the wider supplier chain. Approximately one third of the people employed on Stratton Business Park are employed in food related businesses.
10. Earlier this year, Central Bedfordshire Council was awarded funding from the Department of the Environment, Food and Rural Affairs (DEFRA) to develop a Food Enterprise Zone for the Ivel Valley area, one of seventeen across the country, to promote businesses in this sector. It was intended that an LDO would be a major part of the Food Enterprise Zone. Other elements of the Food Enterprise Zone, which will benefit the whole of the Ivel Valley Area, include innovation support from Cranfield university and investment support including promoting funding opportunities and providing a one stop shop of support from across the Council.

Proposed LDO

11. The Woodside LDO which was adopted in Spring 2014 has brought investment to previously unoccupied units in Dunstable and helped in attracting Amazon to ProLogis Park. Building on this, we consider the LDO at Stratton to be a great opportunity to assist with bringing investment into Biggleswade.
12. It is proposed that the LDO for Stratton Business Park should enable a mixture of minor works such as certain changes of use, new or replacement windows, shutters and doors, mezzanine floors and the sub division of units to be undertaken without the need for planning permission. The draft LDO also proposes that extensions up to 1200sqm (1500 sqm for businesses in the Agrifood sector) of current floor area should be permitted without the need for planning permission. The full list of provisions is detailed in Part B of Appendix 1 of the LDO, which is appended to this report.

Restrictions and conditions

13. The proposed LDO will also ensure that the needs of nearby residents, neighbours and others are properly recognised and their amenity protected, so that they can be assured that the LDO permits only development of an appropriate scale, and that appropriate safeguards are in place.

The proposed LDO therefore has conditions relating to building height, noise levels, light levels, contaminated land, parking standards and conformity with the Central Bedfordshire Design Guide, and these are conditions which would normally be imposed on a planning permission in this area. A full list of conditions, along with a number of informatives designed to assist businesses and landowners, is at Sections C and D of the Local Development Order, which is attached to this report.

14. It is important to stress that any development which falls outside of the terms of the proposed LDO is not necessarily unacceptable, but instead must go through the normal planning process. It should also be made clear that the proposed LDO does not supersede the need to comply with other relevant legislation, for example Building Regulations, Hazardous Substances Consent or licences or permits from other bodies such as the Environment Agency.
15. It is also important to clarify that the proposed LDO does not allocate any additional land, but instead seeks to maximise the potential of the existing site. LDO's are intended to be in place for a specified period of time. It is proposed that the Stratton LDO be put in place for five years, at which point it will be reviewed and could then be extended, amended, or allowed to lapse.

Public consultation

16. A public consultation on the draft LDO took place between 13 August and 14 September 2015. This consisted of a public exhibition held at the Weatherley Centre in Biggleswade, where members of the public or businesses could attend and ask questions of Officers, which was publicised locally. There was also a static display in Biggleswade library. A breakfast event also took place for businesses on Stratton Park. The consultation process and the results are summarised in the public consultation report, but the key aspects are as follows:
 - A total of 42 questionnaire responses were received along with six letters from statutory consultees and two internal responses. Of the questionnaire responses, 31% were from residents living close to the area in question.
 - A majority (72%) agreed with the principle of the LDO, namely allowing businesses to undertake a greater range of work without planning permission. A majority (68%) agreed with allowing a range of minor works to be undertaken without planning permission.
 - 55% agreed with proposals to allow extensions, whereas 35% disagreed. A large majority (74%) agreed with the principle of placing restrictions or conditions in an LDO to protect residents and others.

A range of comments were forthcoming, but the majority of those who raised concerns did so based on issues around monitoring and concern on the impact of residents and concern about the appearance of the site and any other impact to the site including traffic.

17. The final document takes on board the results of the consultation and several amendments have been made as a result. These include some changes to the wording of the flooding / draining conditions and informatives, adding in green energy under ancillary structures and a condition about archaeology. On the whole, the amendments are minor amends to wording / terminology rather than material changes.

Reason/s for Decision

18. To encourage economic and employment growth in the Biggleswade area and to support the Councils' priority to create jobs and enable business growth.

Council Priorities

19. The proposed LDO will bring planning flexibilities to a key strategic business location which will enable businesses to make some changes to their buildings, including an element of extension without the need to apply for full planning permission. This supports the Council's priority to enhance the local community as it will enable businesses to grow and help create additional jobs by making it easier and quicker for businesses to grow and expand.

Corporate Implications

Legal Implications

20. Local Authorities are permitted to make Local Development Orders (LDO's) under Part 4 of the Planning & Compulsory Purchase Act 2004. A LDO allows a local authority to extend permitted development rights for certain forms of development within a defined area. This order seeks to streamline the planning process by removing the need for developers to make a planning application to Central Bedfordshire Council in respect of the Stratton Park in Biggleswade thus creating certainty and saving time and money for those involved in the planning process.
21. A draft order and statement of reasons has been prepared and advertised and an extensive consultation period has been conducted in accordance with the Town & Country Planning (Development Management Procedure) (England) Order 2015 and the Council's own Statement of Community Involvement.

Financial Implications

22. Based on applications received in the period 2010-2015, it is estimated that the proposed LDO will result in an approximate £1000 in lost planning fees. However, the LDO may lead to increased uptake of various developments proposed through the LDO, leading to a slightly higher loss of planning fees than this. This reduced income will be offset by a reduction in the workload of planning officers in processing applications, and in reduced costs from not being required to undertake public consultation on planning applications. This estimate of loss of planning fees does not take into account the future phases of development and as there is no historic record of planning applications for these, it is difficult to estimate future loss in fees. However, the historic data from the current site provides a guideline to forecast any future potential loss in fees. Any loss of fees will also be offset against the uplift in National Non Domestic Rates (NNDR) that the developments may generate.

Equalities Implications

23. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
24. Good planning can improve environments and opportunities for communities experiencing disadvantage. Planning which does not adequately engage with, or consider the needs of, local communities is unlikely to improve their life chances and may further entrench area-based disadvantage. Promoting equality of opportunity and social inclusion relates to the access to facilities and services, enhancing employment opportunities, the protection of open spaces as well as a broad range of policies concerned with the quality of life.
25. This proposal seeks to increase employment in the Biggleswade area, which will increase opportunities for residents to work locally. This will have a positive impact upon equalities.

Sustainability:

26. This proposal should help sustainability by improving employment in the Biggleswade area and increasing opportunities for residents to work nearer home, especially with a view to the housing growth in the town over the coming years.

In addition, the proposal to encourage the use of Renewable energy generation, such as solar thermal or photovoltaic (PV) panels, or the use biomass or Combined Heat and Power (CHP) systems under the order will encourage the growth of renewable energy and make the development closer to being energy secure and truly sustainable. As the LDO is focused on companies in the food sector, it also suggests that there may be scope to make use of food waste from the production process to generate electricity and heat using anaerobic digestion technology.

Public Health

27. Good quality employment has a significant positive impact upon health and wellbeing. This proposal seeks to improve the economic and employment prospects in Biggleswade and is therefore likely to impact upon health and wellbeing in this area of Central Bedfordshire.

Risk Management

28. It is considered that there are no operational, financial or reputational risks from this proposal. There is a very small risk that unintended development could arise if the parameters of the proposed LDO are not drafted properly. However, these have been considered in detail, so officers are confident that such an eventuality will not occur. There is also a slight risk of legal challenge. However, the LDO has been subject to public consultation and therefore this risk is considered to be minimal.

Conclusion and next Steps

29. It is recommended that the Executive consider and adopt the proposed Local Development Order for Stratton Business Park. The proposal provides benefits to businesses on the park and should also lead to a reduction in officer time spent on minor planning applications. Feedback from the consultation was positive overall with no major objections to the LDO. Having had 18 months to observe the success of the Woodside LDO, there is confidence that it would have a positive impact in Biggleswade.
30. Should the recommendations be agreed, it is proposed that the LDO will be officially launched and promoted alongside the launch of the Food Enterprise Zone, encouraging businesses to take advantage of the LDO, and helping to promote the area to business more generally.

Appendices

The following Appendix is attached/provided through an electronic link:

Appendix 1 – Stratton Business Park Local Development Order – Final Document and Statement of Reasons

Background Papers

The following background papers, not previously available to the public, were taken into account and are available on the Council's website:

- (i) Draft Stratton Local Development Order – Consultation Report
- (ii) Environmental Impact Assessment Screening Opinion Letter (dated 8 September 2015)