



THE LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (WARTON) LOCAL DEVELOPMENT ORDER NO.1 (2015)

STATEMENT OF REASONS AND LOCAL DEVELOPMENT ORDER

STATEMENT OF REASONS

THE LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (WARTON) LOCAL DEVELOPMENT ORDER No 1 (2015) is part of a phased approach to the development of the Warton part of the Lancashire Enterprise Zone. The LDO, and the terms within it, will be active for a period of nine years following the day of its adoption.

In 2012 the Council adopted THE LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (WARTON) LOCAL DEVELOPMENT ORDER No. 1 (2012), this LDO will lapse in October 2015 and it is intended that this current LDO will continue 'in its place'.

In 2014 the Council adopted the LANCASHIRE ADVANCED ENGINEERING & MANUFACTURING ENTERPRISE ZONE, PHASE 1 CONSULTATION MASTERPLAN which provides a framework for the delivery of the long-term strategic objectives of the Lancashire Enterprise Zone within the area known as Phase 1 of the Warton site.

1. Introduction

- 1.1 Local Development Orders (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.

- 1.2 Article 38 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) paragraph (1) outlines that *'where a Local Planning Authority propose to make a local development order (LDO) they must first prepare:*
- (a) a draft of the order; and*
 - (b) a statement of their reasons for making the order'.*

The LDO is provided at Appendix 1.

- 1.3 Article 38 paragraph (2) of the DMPO states that *'the statement of reasons must 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 2. The boundaries of the Enterprise Zone and the parcels of land within it are included in Appendix 3.

2. Background

- 2.1 In the coalition Government's Autumn 2011 financial statement to the House of Commons, 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.
- 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.
- 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.

- 2.4 The Enterprise Zone will help to deliver the Lancashire Enterprise Partnership's (LEP) 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.
- 2.5 The 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 Advance Engineering and Manufacture 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 co-ordinate 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.
- 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.

3. Why a Local Development Order (LDO)

- 3.1 Fylde Borough Council has been working with Lancashire County Council and BAE Systems regarding the production of a LDO covering advanced engineering and manufacturing development at Warton.
- 3.2 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 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)¹
- Advanced flexible materials (13.96, 20.6)
- Renewable Energy (27.1).

3.3 Development for purposes falling within the above Standard Industrial Classification² (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.

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.

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 Phase 1 (which is shown on the Map at Appendix 2 of the LDO), without the need for further planning permission;
- enable and facilitate economic development and allow sustainable economic growth to happen rapidly without further planning constraint allowing the developer to react quickly to economic growth 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 Phase 1, 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 Phase 1;
- 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;

¹ The use of land for the production, enrichment, storage or disposal of nuclear fuel falls within Schedule 1 of the Town and Country Planning (Environmental Impact Assessment Regulations) 2011 and would therefore fall outside the remit of this Local Development Order

² The Standard Industrial Classification (SIC) classifies business establishments and other statistical units by the type of economic activity in which they are engaged.

- reduce the burden on the Local Planning Authority, parish councils and consultees; and demonstrate a positive approach to planning.

5. Development within Phase 1 of the Enterprise Zone (Warton)

- 5.1 The LDO provides an opportunity to permit development across Phase 1 in line with 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.
- 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:

Conditions

(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 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.

(5) Access to development permitted by the LDO shall be provided through the existing Mill Lane entrance and/or through such other access points as may be approved by the Local Planning Authority. Access arrangements and other measures 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.

(6) 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.

(7) 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 accordance with the Local Planning Authority's Standards.

(8) 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.

(9) Development proposed under the LDO shall be in general accordance with the principles of the adopted Lancashire Advanced Engineering & Manufacturing Enterprise Zone Phase 1 Site Consultation Masterplan.

(10) An ecological assessment shall be undertaken to inform the design of development, and the incorporation of measures to avoid, mitigate or compensate for any likely ecological impacts. The ecological assessment (as well as avoidance, mitigation and compensation proposals) shall be submitted to the Local Planning Authority for approval. The Local Planning Authority shall respond within 28 days of receiving the details and if no response is received from the Local Planning Authority within this 28 day period then the assessment shall be deemed to be approved. The development shall be carried out in accordance with the approved details.

(11) A scheme for the disposal of foul and surface waters for each stage of the proposed development shall be submitted to the Local Planning Authority for approval. The Local Planning Authority shall respond within 28 days of receiving

the details of the drainage arrangements and if no response is received from the Local Planning Authority within this 28 day period the arrangements shall be deemed to be approved. The development shall be carried out in accordance with the approved scheme.

(12) Prior to commencing development under the LDO of the area shown hatched red on the plan (attached at Appendix 5 – Development Constraints Plan 1), the developer shall consult with the holder of munitions licence number XI/4111/832/1-6 in relation to BAE Systems' Warton site, and no development shall be permitted under the LDO until such person has conducted and submitted to the Local Planning Authority an appropriate risk assessment and the said risk assessment has been approved by the Local Planning Authority, in consultation with the said licence holder.

(13) Prior to commencing any development under the LDO the developer shall consult with the holder of the military and civil flight licence number P748 in relation to BAE Systems' Warton Site and no development shall take place until such person has submitted plans of the proposed development for approval and the Local Planning Authority has approved such plans in consultation with the said licence holder. Any development under the LDO shall comply with the following conditions:

(a) New buildings, subsequent extensions/modifications, street furniture and other potential obstructions shall be no taller than the heights specified in the drawing (attached at Appendix 5 – Development Constraints Plan 1).

(b) Developments shall not include landscaping or water features that may increase the risk of a bird strike to aircraft using the aerodrome. Guidance may be found in CAP 772 – Bird Strike Risk Management for Aerodromes.

(c) Lighting shall be of the construction of full cut off ensuring that there shall be no spill of light beyond the horizontal that may dazzle, or distract pilots, or air traffic controllers on or in the vicinity of the aerodrome.

(d) During any construction work developers shall be cognisant of, and comply with, the British Standard Institute Code of Practice for the Safe Use of Cranes, BS 7121, Part 1, in particular, paragraph 9.3.3.

(e) To prevent adverse electronic magnetic interference to aeronautical systems on the airfield, radio equipment (save for conventional domestic radios) shall not be installed or operated at the development.

(f) Wind turbines shall not be erected at the development.

(g) Buildings shall not be clad with materials that may cause interference with Navigation Aids at the aerodrome.

(14) Prior to commencement of any development permitted by this LDO:

(a) A remediation strategy shall be submitted to the Local Planning Authority for approval. The Local Planning Authority shall respond within 28 days of receiving such remediation strategy relating to the site of such development and if no response is received from the Local Planning Authority within this 28 day period the remediation strategy shall be deemed to be approved.

(b) The development works shall not commence until the remediation strategy has been approved and thereafter the relevant stage of the development shall be undertaken in accordance with the approved remediation strategy unless amended or varied with the prior written approval of the Local Planning Authority.

(c) Upon completion of the remediation works (as defined in the approved remediation strategy) a report shall be provided to the Local Planning Authority demonstrating that the remediation works have been carried out in compliance with the approved remediation strategy.

(15) In order to protect the residential amenity of adjacent occupiers:

(a) The development shall incorporate a landscaped area along the area shown hatched blue on the plan attached at Appendix 6 – Development Constraints Plan 2.

(b) The overall height of any new building or subsequent extension shall not exceed the heights specified in the plan attached at Appendix 6 – Development Constraints Plan 2.

(c) The direction, cowling and intensity of any external lighting is such so as to prevent unacceptable glare to any adjacent residential properties.

(d) Unless otherwise agreed in writing by the Local Planning Authority, no extraction and ventilation equipment or external service areas shall be located on any building facade which faces an existing residential building and is within the area shown hatched yellow on the plan attached at Appendix 6 – Development Constraints Plan 2. The Local Planning Authority shall agree to such development where the extraction and ventilation equipment or external service areas located within the identified area and in line of sight of any adjacent residential property shall be provided with appropriate acoustic and visual screening.

(e) The area shown hatched yellow on the plan attached at Appendix 6 – Development Constraints Plan 2 shall be restricted to development for use

within Class B1 of the Town and Country Planning (Use Classes) Order 1987 as amended.

(16) Prior to the commencement of development of any individual parcel of land, a site specific Flood Risk Assessment (FRA) which appropriately considers flooding from local sources (surface water, ground water and ordinary watercourses) in addition to flood risk from fluvial and coastal sources, shall be submitted to the local planning authority in regard to any development greater than 1 hectare. The Local Planning Authority shall respond within 28 days of receiving the details and if no response is received from the Local Planning Authority within this 28 day period then FRA shall be deemed to be approved.

6. Environmental Impact Assessment (EIA)

- 6.1 Regulation 29 of the Town and Country Planning (Environmental Impact Assessment) Regulations (Statutory Instrument 2011/1824) as amended applies in relation to Schedule 2 development for which a Local Planning Authority propose to grant planning permission by local development order.
- 6.2 A request for an EIA Screening Opinion was made to Fylde Borough Council on 20th July 2015 to establish whether an Environmental Statement is required in respect of development in Phase 1. Prior to adopting this Local Development Order, the Local Planning Authority will issue a screening opinion in accordance with the Town & Country Planning (Environmental Impact Assessment) Regulations 2011, as amended and carry out a Habitats Regulations Assessment in accordance with the Conservation of Habitats and Species Regulations 2010 as amended.

7. How does the LDO relate to other planning documents?

- 7.1 The LDO is consistent with the National Planning Policy Framework.
- 7.2 The Fylde Borough Local Plan (adopted May 2003, as altered October 2005): Policy EMP2 (Existing Industrial Areas) seeks to retain the BAE Systems site at Warton in Class B Business and Industrial Uses and proposals for development and/or redevelopment will be permitted (subject to caveats) for Business and Industrial Uses.
- 7.3 The existing permissions in the Phase 1 Warton LDO area are:
 - Formation of car park with associated lighting, following the removal of existing temporary building (Application Code No: 05/11/0444).
 - Roof lift to Building 386 (Application Code No: 05/09/0332).
 - Vacuum Plant Installation – External to W302 Hangar (Application Code No:

- 05/07/0387).
- Additional Car Parking Spaces (Application Code No: 05/07/0377).

7.4 In 2014 the Council adopted the Lancashire Advanced Engineering & Manufacturing Enterprise Zone Phase 1 Site Consultation Masterplan. This document was published by BAE Systems and provides a framework for the delivery of the long-term strategic objectives of the Lancashire Enterprise Zone within the area known as Phase 1 of the Warton site. This Masterplan provides the broad strategic context for current and future LDOs.

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

8. Other Statutory Requirements

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.

9. Area Covered by LDO

9.1 The LDO has been prepared to cover all land within Phase 1. Phase 1 comprises Parcels 1 to 5 inclusive and extends to 8.2 hectares. The boundary of Phase 1 is shown on the Map in Appendix 2.

10. Consultation on the LDO

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. As part of the preparation of this LDO the following consultation arrangements were put in place:

- The draft LDO, a plan and the statement of reasons were placed on the website of Fylde Borough Council. The consultation period was undertaken from 20th August 2015 until 17th September 2015.
- Following the expiry of the consultation all responses were recorded, analysed and assessed in a Statement of Community Involvement report which informed the preparation of the Final version of the LDO.

11. Structure of the LDO

11.1 The LDO sets out, for Class B (including ancillary uses) 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 pertinent Classes.

2. SUMMARY OF THE LOCAL DEVELOPMENT ORDER

The LDO seeks to grant permission for development for advanced engineering and manufacturing uses in Phase 1 subject to a number of conditions.

APPENDIX 1



THE LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (WARTON) LOCAL DEVELOPMENT ORDER NO 1 (2015)

Lifetime of the LDO and options following its expiry

The LDO, and the terms within it, will be active for a period of nine 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 standard planning application will be required. Further 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 the 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 the purposes listed in Condition 1.

Development is not permitted

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 as amended.

Conditions

(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 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.

(5) Access to development permitted by the LDO shall be provided through the existing Mill Lane entrance and/or through such other access points as may be approved by the Local Planning Authority. Access arrangements and other measures 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.

(6) 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.

(7) 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 accordance with the Local Planning Authority's Standards.

(8) 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.

(9) Development proposed under the LDO shall be in general accordance with the principles of the adopted Lancashire Advanced Engineering & Manufacturing Enterprise Zone Phase 1 Site Consultation Masterplan.

(10) An ecological assessment shall be undertaken to inform the design of development, and the incorporation of measures to avoid, mitigate or compensate for any likely ecological impacts. The ecological assessment (as well as avoidance, mitigation and compensation proposals) shall be submitted to the Local Planning Authority for approval. The Local Planning Authority shall respond within 28 days of receiving the details and if no response is received from the Local Planning Authority within this 28 day period then the assessment shall be deemed to be approved. The development shall be carried out in accordance with the approved details.

(11) A scheme for the disposal of foul and surface waters for each stage of the proposed development shall be submitted to the Local Planning Authority for approval. The Local Planning Authority shall respond within 28 days of receiving the details of the drainage arrangements and if no response is received from the Local Planning Authority within this

28 day period the arrangements shall be deemed to be approved. The development shall be carried out in accordance with the approved scheme.

(12) Prior to commencing development under the LDO of the area shown hatched red on the plan (attached at Appendix 5 – Development Constraints Plan 1) the developer shall consult with the holder of munitions licence number XI/41111/832/1-6 in relation to BAE Systems' Warton site and no development shall be permitted under the LDO until such person has conducted and submitted to the Local Planning Authority an appropriate risk assessment and the said risk assessment has been approved by the Local Planning Authority in consultation with the said licence holder.

(13) Prior to commencing any development under the LDO the developer shall consult with the holder of the military and civil flight licence number P748 in relation to BAE Systems' Warton Site and no development shall take place until such person has submitted plans of the proposed development for approval and the Local Planning Authority has approved such plans in consultation with the said licence holder. Any development under the LDO shall comply with the following conditions:

(a) New buildings, subsequent extensions/modifications, street furniture and other potential obstructions shall be no taller than the heights specified in the drawing (attached at Appendix 5 – Development Constraints Plan 1).

(b) Developments shall not include landscaping or water features that may increase the risk of a bird strike to aircraft using the aerodrome. Guidance may be found in CAP 772 – Bird Strike Risk Management for Aerodromes.

(c) Lighting shall be of the construction of full cut off ensuring that there shall be no spill of light beyond the horizontal that may dazzle or distract pilots or air traffic controllers on or in the vicinity of the aerodrome.

(d) During any construction work developers shall be cognisant of, and comply with, the British Standard Institute Code of Practice for the Safe Use of Cranes, BS 7121, Part 1, in particular, paragraph 9.3.3.

(e) To prevent adverse electronic magnetic interference to aeronautical systems on the airfield, radio equipment (save for conventional domestic radios) shall not be installed or operated at the development.

(f) Wind turbines shall not be erected at the development.

(g) Buildings shall not be clad with materials that may cause interference with Navigation Aids at the aerodrome

(14) Prior to commencement of any development permitted by this LDO:

(a) A remediation strategy shall be submitted to the Local Planning Authority for approval. The Local Planning Authority shall respond within 28 days of receiving such remediation strategy relating to the site of such development and if no response is received from the Local Planning Authority within this 28 day period the remediation strategy shall be deemed to be approved.

(b) The development works shall not commence until the remediation strategy has been approved and thereafter the relevant stage of the development shall be undertaken in accordance with the approved remediation strategy unless amended or varied with the prior written approval of the Local Planning Authority.

(c) Upon completion of the remediation works (as defined in the approved remediation strategy) a report shall be provided to the Local Planning Authority demonstrating that the remediation works have been carried out in compliance with the approved remediation strategy.

(15) In order to protect the residential amenity of adjacent occupiers:

(a) The development shall incorporate a landscaped area along the area shown hatched blue on the plan attached at Appendix 6 – Development Constraints Plan 2.

(b) The overall height of any new building or subsequent extension shall not exceed the heights specified in the plan attached at Appendix 6 – Development Constraints Plan 2.

(c) The direction, cowling and intensity of any external lighting is such so as to prevent unacceptable glare to any adjacent residential properties.

(d) Unless otherwise agreed in writing by the Local Planning Authority, no extraction and ventilation equipment or external service areas shall be located on any building facade which faces an existing residential building and is within the area shown hatched yellow on the plan attached at Appendix 6 – Development Constraints Plan 2. The Local Planning Authority shall agree to such development where the extraction and ventilation equipment or external service areas located within the identified area and in line of sight of any adjacent residential property shall be provided with appropriate acoustic and visual screening.

(e) The area shown hatched yellow on the plan attached at Appendix 6 – Development Constraints Plan 2 shall be restricted to development for use within Class B1 of the Town and Country Planning (Use Classes) Order 1987 as amended.

(16) Prior to the commencement of development of any individual parcel of land, a site specific Flood Risk Assessment (FRA) which appropriately considers flooding from local sources (surface water, ground water and ordinary watercourses) in addition to flood risk

from fluvial and coastal sources, shall be submitted to the local planning authority in regard to any development greater than 1 hectare. The Local Planning Authority shall respond within 28 days of receiving the details and if no response is received from the Local Planning Authority within this 28 day period then FRA shall be deemed to be approved.

Notes:

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.

To ensure the early identification of potential impacts associated with any on-site contamination, the developer is strongly encouraged to undertake pre-submission consultation with the Council's Environmental Health department and the Environment Agency in relation to site investigation works and any remediation strategy subsequently required to satisfy Condition 14.

Pool Stream is designated as a Main River watercourse. Any development within 8 metres of the top of the bank will require the written consent of the Environment Agency.

For the avoidance of doubt, to fully satisfy Condition 11, a foul and surface water drainage scheme shall as a minimum include:

- a) Information about the lifetime of the development design storm period and intensity (1 in 30 and 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;
- b) The scheme shall subsequently be implemented in accordance with the approved details before the development is completed;
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes;
- e) A timetable for implementation, including phasing where applicable;
- f) Site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

In addition an appropriate management and maintenance plan for a sustainable drainage system for the lifetime of the development shall be submitted which, as a minimum, shall include:

- h) the arrangements for management and maintenance by a Management Company;
 - a. arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - b. on-going inspections relating to performance and asset condition assessments;
 - c. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
- i) Means of access for maintenance and easements where applicable.

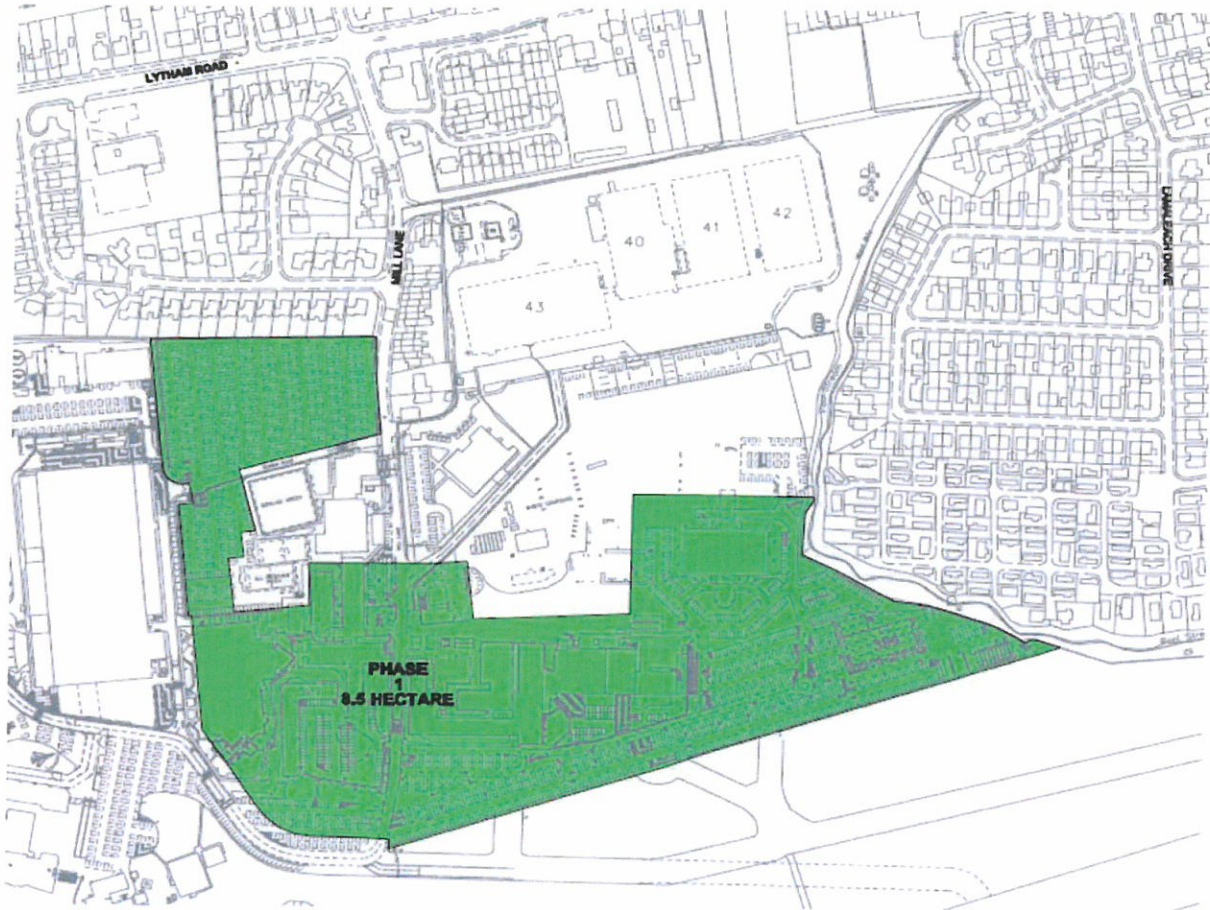
This plan shall be implemented in accordance with the approved details prior to the completion of the development. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

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.

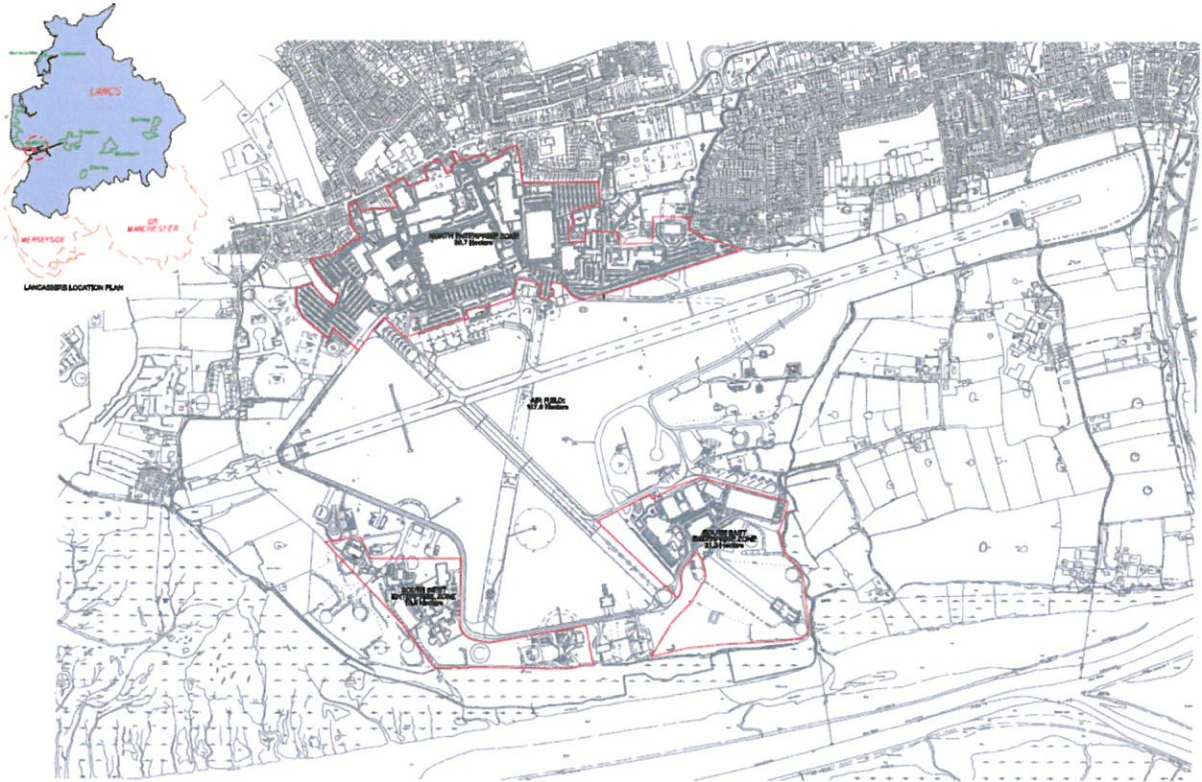
APPENDIX 2

MAP OF PHASE 1 OF THE LANCASHIRE ENTERPRISE ZONE (WARTON)



APPENDIX 3

MAP OF LANCASHIRE ENTERPRISE ZONE (WARTON)



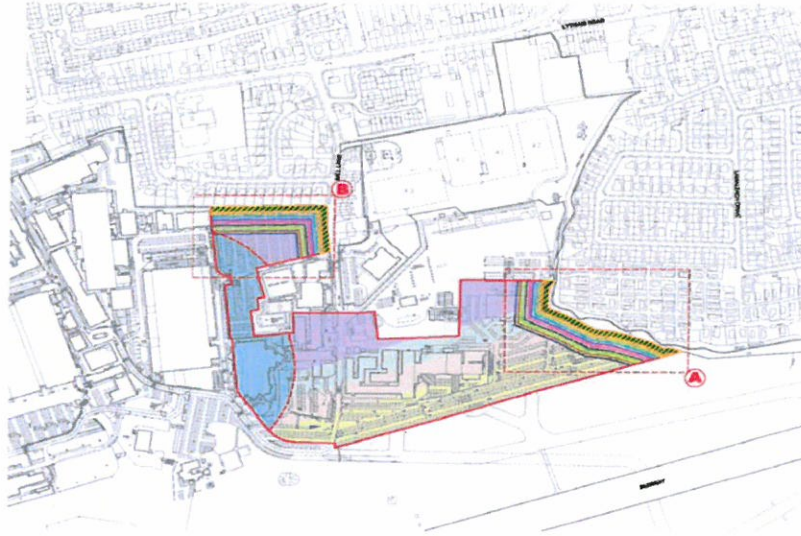
APPENDIX 4

NATIONAL TRAVEL PLAN THRESHOLDS USE CLASS TRAVEL PLAN THRESHOLD M² GFA UNLESS STATED

USE CLASS	TRAVEL PLAN THRESHOLD M ² 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

APPENDIX 5

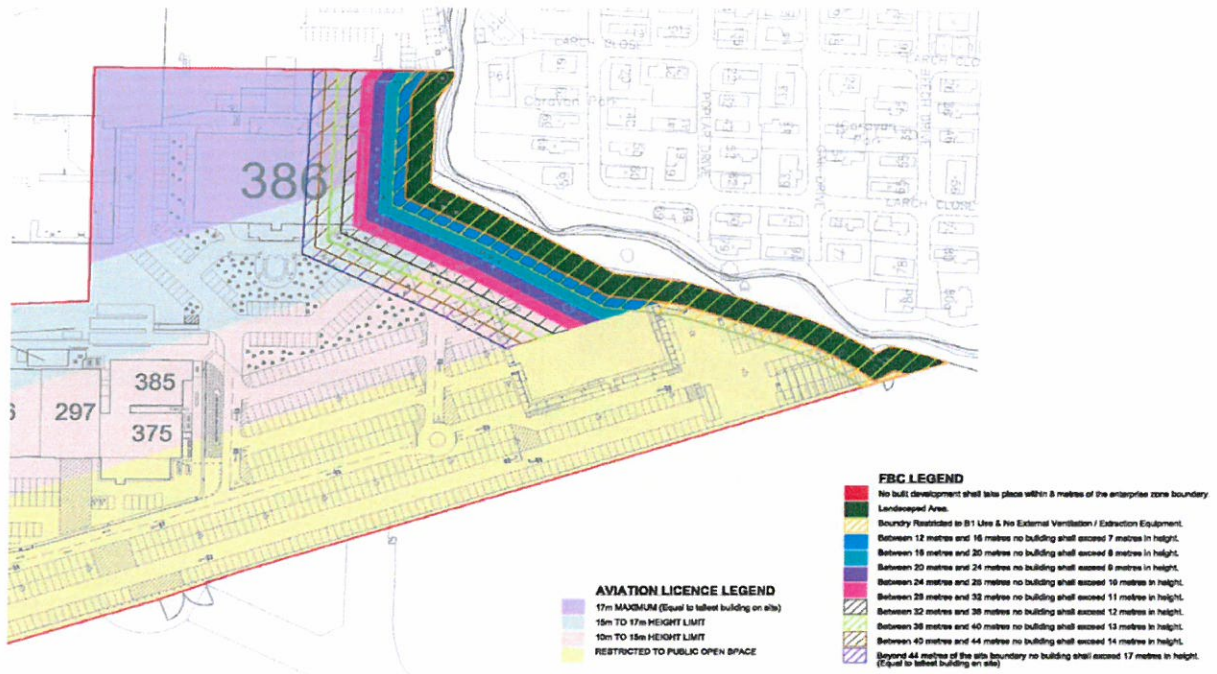
DEVELOPMENT CONSTRAINTS PLAN 1



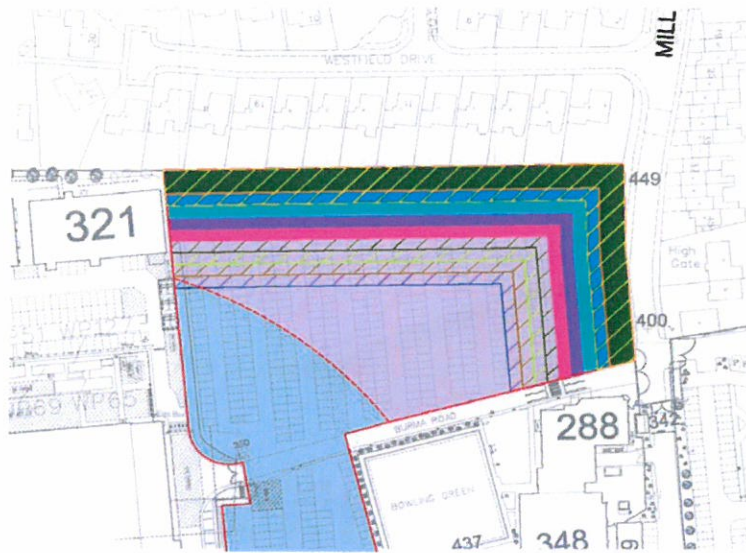
- AVIATION LICENCE LEGEND**
- 17m MAXIMUM (Equal to lowest building or site)
 - 15m TO 17m HEIGHT LIMIT
 - 10m TO 15m HEIGHT LIMIT
 - RESTRICTED TO PUBLIC OPEN SPACE
- BAE SYSTEMS LEGEND**
- INDICATES RISK ASSESSMENT TO BE UNDERTAKEN
- A** REFER TO DRAWING - 11W0196-012
PLAN 2 - FBC HEIGHT RESTRICTIONS PLAN A
- B** REFER TO DRAWING - 11W0196-013
PLAN 3 - FBC HEIGHT RESTRICTIONS PLAN B

PLAN 1
SCALE 1:2000

APPENDIX 6 – DEVELOPMENT CONSTRAINTS PLAN 2 – FBC HEIGHT RESTRICTIONS PLAN A



APPENDIX 6 – DEVELOPMENT CONSTRAINTS PLAN 3 - FBC HEIGHT RESTRICTIONS PLAN B



- FBC LEGEND**
- No built development shall take place within 8 metres of the enterprise zone boundary
 - Landscaped Area
 - Boundary Restricted to B1 Use & No External Ventilation / Extraction Equipment
 - Between 12 metres and 16 metres no building shall exceed 7 metres in height
 - Between 18 metres and 20 metres no building shall exceed 8 metres in height
 - Between 20 metres and 24 metres no building shall exceed 9 metres in height
 - Between 24 metres and 28 metres no building shall exceed 10 metres in height
 - Between 28 metres and 32 metres no building shall exceed 11 metres in height
 - Between 32 metres and 36 metres no building shall exceed 12 metres in height
 - Between 36 metres and 40 metres no building shall exceed 13 metres in height
 - Between 40 metres and 44 metres no building shall exceed 14 metres in height
 - Beyond 44 metres of the site boundary no building shall exceed 17 metres in height. (Equal to tallest building on site)

AVIATION LICENCE LEGEND

- 17m MAXIMUM (Equal to tallest building on site)

BAE SYSTEMS LEGEND

- SEPARATE RISK ASSESSMENT TO BE UNDERTAKEN

FULL ENTERPRISE ZONE AREA REFER TO DRAWING - 11WD198-011
PLAN 1 - WARTON ENTERPRISE ZONE DEVELOPMENT CONSTRAINTS PLAN

THE COMMON SEAL OF
Fylde Borough Council was
hereunto affixed the 20th
day of November 2015 in
the presence of

Jon Curtis

Head of Governance

