

North Somerset Council

REPORT TO THE COUNCIL

DATE OF MEETING: 10 APRIL 2018

SUBJECT OF REPORT: LOCAL DEVELOPMENT ORDER FOR FOOD ENTERPRISE ZONE

TOWN OR PARISH: WESTON-SUPER-MARE

OFFICER/MEMBER PRESENTING:

KEY DECISION: N/A

RECOMMENDATIONS

The Local Development Order attached at Appendix 1 shall be adopted for a period of 5 years from the date of its adoption on 1 May 2018. Its pending adoption shall be notified to the Secretary of State in accordance with the legislative requirement.

1. SUMMARY OF REPORT

Local Development Orders (LDOs) are a tool to simplify the planning requirements associated with certain types of development on specific identified sites. The use of LDOs is considered a mechanism to support economic growth. This LDO will effectively grant outline planning permission for the erection of buildings within specified use classes within the designated area as part of an approach to simplify planning requirements.

2. POLICY

This proposal reflects the Corporate Plan ambition to drive growth in the North Somerset economy and local jobs, and the Council's wider aspirations to support business growth in Weston-super-Mare and the Food Enterprise Zone. It is consistent with the objectives of the National Planning Policy Framework, the Core Strategy and the Economic Plan.

3. DETAILS

The site is previously developed and lies within an allocated employment area. The LDO relates to the recently formed Food Enterprise Zone comprising 7.5 hectares of land, located within Weston Business Quarter. The Food Enterprise Zone was established in 2015 as one of 17 areas nationally that successfully bid to DEFRA to receive support.

The full LDO is attached at Appendix 1 and the Statement of Reasons is attached at Appendix 2.

The LDO will encourage new business development connected to food and drink manufacturing, processing and distribution to locate within the area and help small and medium enterprises in this industry expand.

The LDO is intended to make the planning process simpler for food and drink businesses seeking new premises, or existing food and drink businesses seeking to expand. It grants outline planning permission for new business units in a B1, B2 or B8 use for use by food businesses. It specifies the type and amount of development that is acceptable on the site, thereby giving certainty for potential developers and businesses, demonstrating that the Council is supportive of such development.

Being in outline form, the permission allows flexibility for development to be tailored to the individual user's needs. It also significantly reduces the costs of submitting a planning application for businesses as a number of the background surveys and assessments required during the planning process have already been carried out.

The key focus of the LDO is to support the improvement of the food supply chain in the South West; linking farmers and producers at the very start of the food chain to food development and manufacturing, but also encouraging links to distributors and retailers.

The Council is also facilitating the development of The FoodWorksSW Centre at this location. This is a Food Innovation Centre of Excellence consisting of small business units, a business centre offering industry specific business advice, training and events, and a product development facility which organisations can use for testing and piloting products. Work on the centre is expected to commence in the summer.

4. CONSULTATION

The draft LDO has been the subject of full public consultation in accordance with the regulations.

A first round of consultation took place between 27 May and 8 July 2016. Comments received at this stage were considered and changes made to the draft LDO and statement of reasons as necessary.

Given the passage of time since the first consultation, a second round (not required by the legislation, but undertaken in accordance with the regulations) was undertaken between 1 February and 1 March 2018. A summary of the comments received, the Council's response to them and any changes that have been made to the document is set out at Appendix 3.

5. FINANCIAL IMPLICATIONS

The proposal has implications in terms of reduced income from outline planning application fees, however the intended outcome is increased business confidence and investment in Weston, leading to an increase in business rates. Grant funding has been received from Government to finance the preparation of the LDO.

6. LEGAL POWERS AND IMPLICATIONS

The provisions for creating a LDO are set out in the Town and Country Planning Act 1990 (as amended). A LDO grants planning permission subject to the conditions and limitations set out in the Order and therefore a development which complies with the Order will not require a separate planning application.

7. RISK MANAGEMENT

The use of appropriate conditions and limitations of the consent address the anticipated impacts of the development.

8. EQUALITY IMPLICATIONS

No equalities implications are anticipated.

9. CORPORATE IMPLICATIONS

The LDO is consistent with the Corporate Plan ambition to drive growth in the North Somerset economy and local jobs.

10. OPTIONS CONSIDERED

The adoption of a LDO is optional. It is being progressed in order to encourage new business development connected to food and drink manufacturing, processing and distribution to locate within the area and help small and medium enterprises in this industry expand.

It is proposed to limit the LDO to a 5 year period initially to enable its impact to be reviewed and appropriate alterations to be made in the future.

AUTHOR

Richard Kent Head of Development Management

BACKGROUND PAPERS

Relevant legislation and regulations
Consultation documents and responses

Draft Local Development Order

Weston Airfield Business Quarter – Local Development Order (LDO)

This LDO is for a temporary period for 5 years.

Attached to this LDO are two plans:

- Plan 1 sets out the LDO site area (outlined in red) and identifies constraints on certain parts of the site.
- Plan 2 is an indicative masterplan which is intended to inform the general layout of development but may be subject to amendment by the Local Planning Authority.

Permitted Development

Outline planning permission is granted for:

The erection of buildings and/or the use of land for Class B1, B2 and B8 use by Food Businesses.

For the purposes of this LDO:

‘Food Business’ means any undertaking, whether for profit or not and whether public or private engaged in any activities related to any stage of production, processing and distribution of food.

‘Food’ means any substance or product, whether processed, partially processed or unprocessed, intended to be, or reasonably expected to be ingested by humans or animals. Food includes drink and any substance including water intentionally incorporated into food during its manufacture, preparation or treatment.

Definition adapted from EC Regulation 178/2002

All matters are reserved.

Development is not permitted if:

- (a) The proposed development, following consultation by the Local Planning Authority, is the subject of an objection or advice against the proposal from the Health and Safety Executive.
- (b) Any building or part of a building is within 16m either side of the Gas Pipeline which is located to the north of the site (on Plan 1 the position of the pipeline is shown in yellow and the 16m buffer zone is shown in blue).
- (c) Any parking area or hardstanding is within 3m of any part of the Gas Pipeline (the position of the pipeline is shown in yellow on Plan 1).
- (d) More than 75% of any Zone (Zones 1, 2 or 3 shown on Plan 1) is covered by impermeable surfaces.
- (e) Within Area A (shown hatched black on Plan 1):
 - any building would exceed two storeys in height,
 - any B1a building would exceed 1000 sqm (gross floor area measured externally),
 - any B1b building would exceed 4000 sqm (gross floor area measured externally),
 - any B2 building would exceed 3500 sqm (gross external floor area measured externally).
- (f) Within the whole LDO area (outlined in red on Plan 1):

- any B8 building would exceed 500 sqm (gross floor area measured externally).
- more than 50% of the net developable area (shown on Plan 2) would be in a Class B8 use.

(g) The Local Planning Authority has determined that a Transport Assessment/Transport Statement is necessary and one has not been submitted and approved, or if one has been submitted and approved, any identified impacts have not been mitigated against and any necessary works have not been carried out.

Conditions

Development is granted outline planning permission subject to the following conditions:

Reserved matters

1. Prior to the commencement of development of any phase of development details of the following matters (in respect of which approval is expressly reserved) for that phase shall be submitted to, and approved in writing by, the Local Planning Authority:
 - (a) The scale of the development;
 - (b) The layout of the development;
 - (c) The external appearance of the development;
 - (d) The landscaping of the site;
 - (e) The means of access to the site.

The development shall be carried out in accordance with the approved details.

Occupiers

2. Prior to the occupation of any building, the name of the operators of the businesses for that building and the date on which the use is to commence shall be submitted to and approved in writing to the Local Planning Authority. Any subsequent occupiers shall also be agreed in writing with the Local Planning Authority prior to occupation.

Flood Risk and Drainage

3. Prior to the commencement of any phase of development, a detailed Flood Risk Assessment (FRA) addressing both flood and surface water management for that phase, shall be undertaken, submitted to and approved in writing by the Local Planning Authority. The FRA must specifically identify finished floor levels and other mitigation measures together with a scheme to implement such measures; identifying places of safe refuge from an extreme event together with an effective flood warning and evacuation plan. Opportunities should also be taken to incorporate flood resilience in the design and construction of the development. Development shall only be carried out in accordance with an approved Flood Risk Assessment and the measures contained within in.
4. Prior to the commencement of any phase of development, details of any proposed rhydes/swales within that phase and details for the future management and maintenance of these rhydes/swales and their access corridors shall be

submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plans.

5. Prior to the commencement of any phase of development, foul and surface water drainage details together with a programme of implementation and management for that phase shall be submitted to and approved, in writing, by the Local Planning Authority. Such works shall be carried out in accordance with the approved details.
6. All new buildings shall have finished floor levels which shall be at least 600mm above the 1:100 year flood level of 5.13m Above Ordnance Datum and road levels and access levels shall be at least 300mm above the 1 in 100 year flood level of 5.13 Above Ordnance Datum unless otherwise agreed in writing by the Local Planning Authority.
7. Prior to the commencement of development within Zones 2 and 3 (shown on Plan 1 attached to this LDO), a scheme for opening up the culvert crossing through the site between points X and Y (shown on Plan 1) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with an agreed timescale.

Contamination

8. Prior to the commencement of any phase of development, an investigation and risk assessment for that phase must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report on the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
 - i) a survey of the extent, scale and nature of contamination;
 - ii) an assessment of the potential risks to:
 - Human health,
 - Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - Adjoining land,
 - Groundwater and surface waters,
 - Ecological systems,
 - Archaeological sites and ancient monuments;
 - iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' or any document replacing the same.
9. Prior to the commencement of any phase of development, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property

and the natural and historical environment for that phase shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

10. Prior to the commencement of any phase of development other than that required to carry out remediation, the approved remediation scheme for that phase must be carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following the completion of measures identified in the approved remediation scheme, a verification report for that phase that demonstrates the effectiveness of the remediation carried out must be produced, and approved in writing of the Local Planning Authority.

Ecology

11. Prior to the commencement of any phase of development, an ecological statement including a detailed scheme of mitigation measures to be incorporated within the development for that phase, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Transport and Highways

12. Prior to the commencement of any phase of development, a plan for the parking and manoeuvring of vehicles for that phase shall be submitted to and approved in writing by the Local Planning Authority. The relevant phase of development shall not be occupied until vehicle parking has been constructed and the parking spaces marked out in accordance with the approved plans. These parking spaces shall thereafter be permanently retained and shall not be used except for the parking or manoeuvring of vehicles in connection with the approved development.
13. Prior to the commencement of any phase of development, a plan for the provision of cycle parking for that phase shall be submitted to and approved in writing by the Local Planning Authority. The relevant phase of development shall not be occupied until the cycle parking has been constructed in accordance with the approved plans. The cycle parking shall thereafter be permanently retained and shall not be used except for cycle parking in connection with the approved development.
14. Prior to the commencement of any phase of development, a Construction Management Plan setting out details of the number and frequency of construction vehicle movements and routes to and from the site for that phase and any specific measures to be adopted to mitigate against construction

impacts on the highway network shall be submitted to and approved in writing by the Local Planning Authority.

15. Prior to the occupation of any phase development, a Travel plan for that phase shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan will need to cover the following issues;
- i. The identification of targets for trip reduction and modal shift
 - ii. The methods to be employed to meet these targets
 - iii. The mechanisms for monitoring and review
 - iv. The penalties to be applied in the event that targets are not met
 - v. The mechanisms for mitigation
 - vi. Implementation of the Travel Plan to an agreed timescale
 - vii. Mechanisms to secure variations to the Travel Plan following monitoring and review

Within 3 months of the first occupation of the development, and on an annual basis thereafter the occupier of the building shall submit a progress report of the targets to the Local Planning Authority for their written approval.

Energy

16. Any approved building which measures over 500 square metres (gross external floor area) shall be constructed to a minimum BREEAM standard rating of Very Good or equivalent and any approved building which measures over 1000 square metres shall be constructed to a minimum BREEAM standard rating of Excellent or equivalent. Prior to the first occupation of the relevant phase of development, or in accordance with a written scheme of implementation that has first been submitted to and approved in writing by the Local Planning Authority, a copy of a formal assessment, undertaken by a licensed BREEAM assessor and a copy of the assessors report along with a copy of the certificate shall be submitted to the Local Planning Authority unless alternative information sufficient to demonstrate compliance is submitted to and approved in writing by the Local Planning Authority.
17. Any approved building which measures more than 500 square metres (gross external floor area) but less than 1000 square metres (gross external floor area) shall not be occupied until measures to generate not less than 10% (less if agreed with the Local Planning Authority) of the energy required for the use of the development, through the use of renewable or low-carbon technologies has been demonstrated. These technologies should be installed on site and be fully operational in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority. Thereafter the approved technologies shall be permanently retained and operational unless otherwise first agreed in writing by the Local Planning Authority.
18. Any building which measures 1000 square metres or greater, shall not be occupied until measures to generate not less than 15% (less if agreed with the Local Planning Authority) of the energy required by the use of the development,

through the use of renewable or low-carbon technologies has been demonstrated. These technologies should be installed on site and be fully operational in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority. Thereafter the approved technologies shall be permanently retained and operational unless otherwise first agreed in writing by the Local Planning Authority.

Waste

19. Prior to the occupation of any building details of a scheme for providing space and facilities for the storage and collection of waste for the relevant phase of development shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall have been implemented. Thereafter the approved space and facilities for the storage and collection of waste shall be permanently retained unless otherwise agreed in writing with the Local Planning Authority.

Outside Storage

20. Prior to the occupation of any building a plan showing the precise location of any areas of open storage relevant to that phase of development and specifying a maximum height of open storage within such area(s) shall have been submitted to and approved in writing by the Local Planning Authority. No materials, goods, plants, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored on the site outside the approved storage area, or above the height agreed as part of this condition.

Landscaping

21. All works comprised in the approved details of landscaping shall be carried out in accordance with the approved details and shall be carried out during the months of October to March inclusive following occupation of the building(s) or completion of the development, whichever is the sooner. Trees, hedges and plants shown in the landscaping scheme to be retained or planted which, during the development works or a period of ten years following full implementation of the landscaping scheme, are removed without prior written consent from the Local Planning Authority or die, become seriously diseased or are damaged, shall be replaced in the first available planting season with others of such species and size as the Authority may specify.

Extract systems, odour management and noise

22. Prior to the commencement of any phase of development, details of the specification, height and position of all external plant and equipment including heating/extraction/ventilation systems for that phase shall be submitted to and approved, in writing, by the Local Planning Authority. The specification shall demonstrate that design consideration has been given to minimising noise and odour impacts on sensitive regions of surrounding development such that conflict of planning interests do not arise. The development shall be undertaken in accordance with the approved details and thereafter be permanently retained.

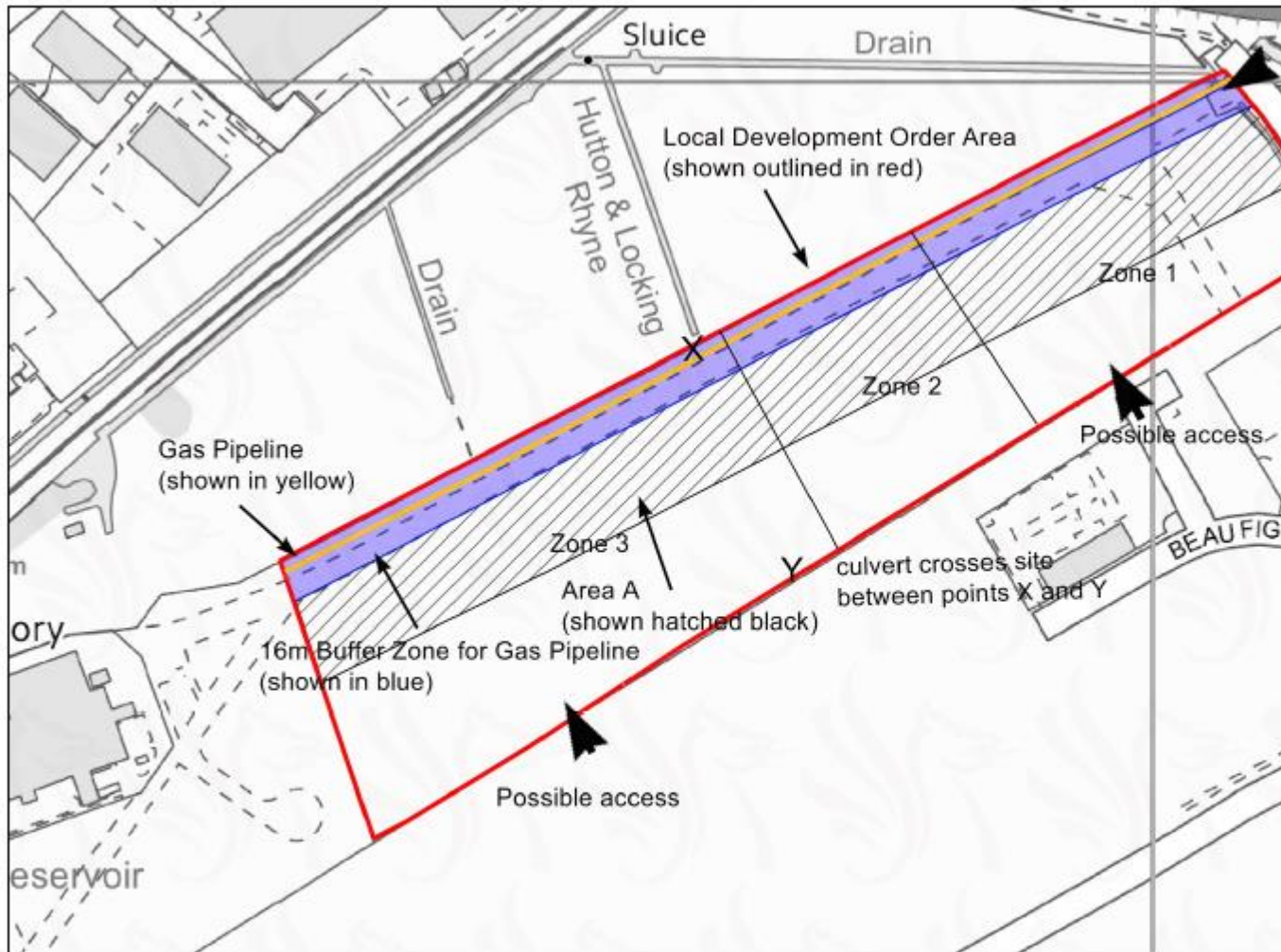
23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order revoking and re-enacting that Order with or without modification) no building or use falling within classes B2 or B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) shall be occupied or the use commenced until there has been submitted to and approved in writing by the Local Planning Authority, an Odour Impact Assessment Report for that building or use, setting out any potential sources of odour from the building or use, and an assessment of the likely impact on nearby sensitive properties or users. Should the report identify that there is a potential for odour nuisance from the development, an Odour Management Plan shall be submitted to and approved in writing by the Local Planning Authority which shall propose mechanisms to provide satisfactory mitigation, including ventilation, filtration and scrubbing extract units if necessary. The use shall not commence until the approved mitigation measures have been fully implemented and they shall continue to be implemented and operate during the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

External illumination

24. Prior to the occupation of any building, details of any external illumination for that phase of development shall be submitted to and approved, in writing by the Local Planning Authority. Such details must include a block plan with lighting contours (in lux) overlaid. No means of external illumination shall be installed other than in accordance with the approved details.

Permitted development rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order revoking and re-enacting that Order with or without modification) the development shall not be used except for food business uses within Class B1, B2 or B8 of the Town and Country Planning (Use Classes Order 1987), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.



Plan 1

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LDO Plan 2

Indicative development schedule

Phase 1: as per emerging scheme

Phase 2:

Parcel A: 2,200sqm

Parcel B: 2,800sqm

Phase 3:

Parcel C: 2,760sqm

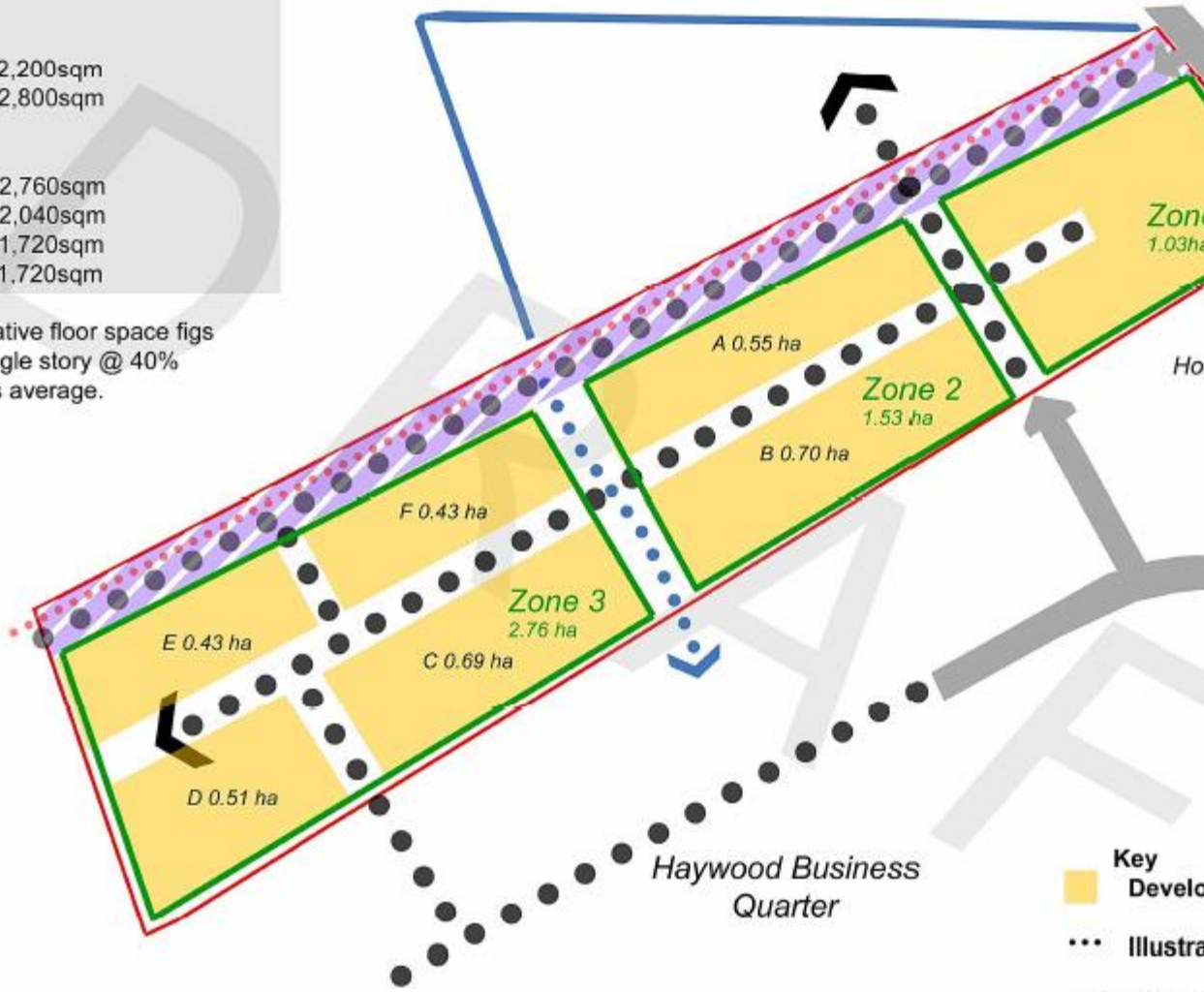
Parcel D: 2,040sqm

Parcel E: 1,720sqm

Parcel F: 1,720sqm

Note: indicative floor space figs assume single story @ 40% plot ratio as average.

Proposed Park and Ride



Weston Business Quarter (Weston Airfield) Food and Drink Enterprise Zone – Local Development Order

Introduction

The Weston Business Quarter Local Development Order (LDO) provides a simplified planning route to support and encourage new business development within the newly formed Food Enterprise Zone.

What is a Local Development Order?

A LDO is a tool to simplify the planning requirements associated with certain types of development on specific identified sites. A now well-established planning tool, the use of LDOs is considered a mechanism to support economic growth.

This LDO effectively grants outline planning permission for the erection of buildings within specific use classes within the designated area as part of an approach to simplify planning requirements.

The Government has made significant changes to the General Permitted Development Order permitting various forms of development and changes of use. The existing LDO for Junction 21 already covers the site and expands these permitted development rights. This new LDO takes things a step further by agreeing the principle of new industrial units on the site, for use by food businesses.

The LDO is considered to be another mechanism to facilitate growth, offering an incentive to businesses and simplifying the planning process.

Background to the preparation of the LDO

The LDO relates to the recently formed Food Enterprise Zone comprising 7.5ha of land, located within Weston Business Quarter.

The LDO is intended to make the planning process simpler and easier for food and drink businesses seeking premises or existing businesses seeking to expand. It grants outline planning permission for new business units in a B1, B2 or B8 use for use by food businesses. It confirms what type and amount of development is acceptable on the site thereby giving certainty for potential developers and businesses and demonstrates that the Council is supportive of such development.

Being in outline form, the permission allows flexibility for development to be tailored to the individual user's needs. It also significantly reduces the costs of submitting a planning application for businesses as a number of the background surveys and assessments required during the planning process have already been carried out.

Planning Policy Background

The site lies within an allocated employment area and constitutes previously developed land. Details of North Somerset Council's current planning policy framework can be found on the Council's website. The following planning policies are particularly relevant and have informed the preparation of the LDO:

North Somerset Core Strategy 2012

- CS1 Addressing climate change and carbon reduction
- CS2 Delivering sustainable design and construction
- CS3 Environmental impacts and flood risk management
- CS4 Nature Conservation
- CS10 Transportation and movement
- CS11 Parking
- CS12 Achieving high quality design and place making
- CS20 Supporting a successful economy

- CS28 Weston-super-Mare
- CS30 Weston Villages
- CS34 Infrastructure Delivery

North Somerset Replacement Local Plan 2007

- E/5 Safeguarded Employment Areas

Sites and Policies Plan Part 1: Development Management Policies 2016

- DM1 Flooding and Drainage
- DM8 Nature conservation
- DM24 Safety, traffic and provision of infrastructure, etc. associated with development
- DM26 Travel plans
- DM28 Parking standards
- DM32 High quality design and placemaking
- DM47 Proposals for economic development within towns and defined settlements
- DM70 Development Infrastructure
- DM71 Development contributions, Community Infrastructure Levy and Viability

Emerging Sites and Policies Plan Part 2: Site Allocations Plan (as per main modifications, adoption anticipated 2018)

- SA4 Employment allocations
- SA10 A370 corridor into Weston-super-Mare

Supplementary planning advice:

- Weston Villages SPD June 2012
- Employment-led delivery at Weston-super-Mare SPD November 2014
- North Somerset Parking Standards November 2013
- Development Contributions SPD November 2014
- Travel Plans SPD November 2010
- Creating Sustainable Buildings and Places March 2015

Supporting Evidence Base

The following surveys and technical studies are relevant to the site and have informed the preparation of the LDO:

- Preliminary Ecological Appraisal May 2017
- Preliminary Breeding Bird Assessment May 2017
- Bat Advisory Report May 2017
- Great Crested Newt Report May 2017
- Reptile Report May 2017
- Badger Report May 2017
- Phase 2 Environmental Assessment (Desktop Study) March 2015 – Cambria Consulting
- Technical Note Weston-Super-Mare - SFS Weston Villages Developer Inflows September 2015 Royal Haskoning DHV
- Weston Villages Mitigation Measures Report February 2014

Environmental Impact Assessment – Screening Opinion

The uses permitted by the LDO are classed within Schedule 2 of the Environmental Impact Assessment Regulations 2011 (as amended) comprising industrial estate development

projects. The area covered by the LDO is 7.5ha and it therefore exceeds the threshold for screening which is 5ha as set out in the 2015 amendment to the above regulations. The Council has carried out a screening opinion, which confirms that the development is not likely to have significant effects on the environment and therefore does not require a full Environmental Impact Assessment.

Statement of Reasons

The Council is required to provide a Statement of Reasons for making the Order. These are provided below.

The LDO is intended to encourage new business development connected to the food and drink manufacturing, processing and distribution industry to the area and to help small and medium size enterprises in this industry to expand. The site in question has been recognised by the Government and West of England Local Enterprise Partnership as a part of a major growth area to support the delivery of the Bristol and West of England City Deal. It is easily accessible being located within 5 minutes of the M5 motorway, 30 minutes from Bristol Port (deep water) and 30 minutes from Bristol Airport and having nearby rail access in Worle and Weston-super-Mare.

The key focus of the LDO is to support the improvement of the food supply chain in the South West; linking farmers and producers at the very start of the food chain to food development and manufacturing, but also encouraging links to distributors and retailers. North Somerset already has a strong food and drink sector, but the LDO is intended, in particular, to support small and medium size enterprises looking to grow and develop. The Council is also seeking to facilitate the development of a South West Food and Drink Innovation Centre on part of the site, together with food-grade incubator units, development kitchens, specialist piloting and testing facilities and a business development learning centre to support the industry.

Planning Incentives

The LDO offers the following planning incentives to developers:

- Grants outline planning consent for the erection of buildings and/or the use of land for Class B1, B2 and B8 use by food businesses.
- Allows flexibility for development to be tailored to individual user's needs through reserved matters applications.
- Reduces the amount of information that developers would normally have to provide with a planning application. This therefore reduces risk and saves developers both time and money.

It is expected that along with the Council's employment-led Core Strategy for Weston-super-Mare and other initiatives to stimulate development, this will encourage investment from both existing and new businesses.

Description of the development the order would permit

The LDO grants outline planning permission within the LDO area (outlined in red on Plan 1) for the erection of buildings and/or the use of land for Class B1, B2 and B8 use by food businesses.

Developers are still required to submit planning applications for details of access, appearance, landscaping, layout and scale. The outline permission is also subject to conditions. The reserved matters applications will be dealt with as expeditiously as possible and normally under officer delegated powers.

Area covered by the Local Development Order

The “designated area” for the LDO is shown below and is outlined in red on Plan 1 (attached to the LDO).



The area comprises 7.5ha of land within the Weston Business Quarter (Weston Airfield) which is part of the Junction 21 Enterprise Area. The site also lies within the “designated area” for the Junction 21 LDO which allows for the alteration of non-residential buildings and specified changes of use.

Adoption of the LDO and its time period

The LDO will be active for 5 years from the date of adoption, upon which time the LDO will cease to apply. Provided reserved matters approval has been obtained, development which has commenced under the provisions of the LDO can be completed following the expiry of the LDO. At the end of the temporary period, the Council will review the LDO and decide whether to renew the LDO, revise the LDO or revoke the LDO.

Reserved Matters Application requirements

For guidance on what you need submit with a reserved matters application, please see the Council’s website and the North Somerset Local List of Planning Application requirements. Plan 2 attached to the LDO provides an indicative masterplan for the site. Reserved matters applications should broadly accord with this masterplan.

Depending on the scale of development proposed (for B1 buildings over 1500sqm, for B2 Buildings over 2500sqm and for B8 buildings over 3000sqm), a transport statement or transport assessment as well as a travel plan may be required.

In terms of flood risk and drainage, it is very important that the amount of impermeable surfacing on the LDO site does not exceed 75% of the total site area. Any reserved matters application will need to demonstrate that this requirement would be met. The Council is likely to impose conditions to retain the amount of permeable surfacing on any reserved matters application.

CIL and S106 requirements

The Council’s Community Infrastructure Levy has been adopted and took effect on 18 January 2018. Currently a nil rate applies to B use class employment within the area. Section 106 contributions are based on a site-specific assessment of any infrastructure required to allow the development to go forward. In relation to this site, it is anticipated that contributions might be required (if necessary) towards highway works and towards the Strategic Flood Solution (the Super Pond to the south of the site).

The LDO and other consent regimes

The LDO does not overrule the requirements associated with any other legislation including, but not limited to: The Highways Act, Environmental Protection Legislation, the Equality Act and Building Regulations. Consents obtained through other such legislation will still be required.

Appendix 3: Consultation report

Food Enterprize Zone, Weston Airfield Business Quarter LDO. response to consultation

Report of consultation

Respondent Name	Comment	Council Response	Document Changes
Weston Town Council	Weston-super-Mare Town Council has considered this proposal and, given the location of the proposed Food Enterprise Zone in the Weston Airfield Business Quarter, the Town Council has no objection to the proposal.	Noted.	None.
Historic England	<p>Thank you for your letter of 1 February 2018 regarding the above application. On the basis of the information available to date, we do not wish to offer any comments.</p> <p>It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.</p> <p>Yours sincerely Melanie Barge Historic England</p>	Noted.	None.
Fisher German	Thank you for your email to CLH Pipeline System Ltd dated 01 February 2018 regarding the above. Please find attached a plan of our client's apparatus. We would ask that you contact us if any works are in the vicinity of the CLH-PS pipeline or alternatively go to www.linerearchbeforeudig.co.uk , our free online enquiry service.	Noted.	None.
Environment Agency	Thank you for referring the above Local Development Order (LDO), which was received on 1 February 2018. The Environment Agency can support the LDO approach, however it should be noted that upon	Noted.	None.

Respondent Name	Comment	Council Response	Document Changes
	<p>completion of the super pond and all development land raising we would have no flood risk interest in this area apart from Standing Advice.</p> <p>The Lead Local Flood Authority and Internal Drainage Board should be contacted to ensure their interests are not adversely affected.</p>		
Natural England	<p>Thank you for your consultation on the above. Whilst we welcome this opportunity to give our views, the Local Development Order is unlikely to have major impacts on the natural environment. We therefore do not wish to provide specific comments, but advise you to consider the following issues:</p> <p>Biodiversity enhancement</p> <p>This LDO could consider incorporating features which are beneficial to wildlife within development, in line with paragraph 118 of the National Planning Policy Framework. You may wish to consider providing guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to enhance biodiversity in the urban environment. An example of good practice includes the Exeter Residential Design Guide SPD</p> <p>Protected species</p> <p>Natural England has produced Standing Advice to help local planning authorities assess the impact of particular developments on protected or priority species.</p> <p>Other design considerations</p> <p>The NPPF includes a number of design principles which could be considered, including the impacts of lighting on landscape and biodiversity (para 125).</p>	Noted.	None.

Respondent Name	Comment	Council Response	Document Changes
Somerset County Council	<p>The section 'Extract systems, odour management and noise' in the Draft Local Development Order for the Weston Airfield Business Quarter makes no actual reference to noise. While the requirement to detail external plant might identify a potential issue the County Council Acoustics Specialist considers that it might be helpful to clarify a planning desire to minimise noise impacts where ever possible on nearby development. The plan would indicate developments would present minimal risks to residential amenity. As such the County Council Acoustics Specialist would suggest there be an addition to paragraph 22 as indicated below:</p> <ol style="list-style-type: none"> 1. Prior to the commencement of any phase of development, details of the specification, height and position of all external plant and equipment including heating/extraction/ventilation systems for that phase shall be submitted to and approved, in writing, by the Local Planning Authority. The specification shall demonstrate that design consideration has been given to minimising noise and odour impacts on sensitive regions of surrounding development such that conflict of planning interests do not arise. The development shall be undertaken in accordance with the approved details and thereafter be permanently retained. <p>The County Council Acoustics Specialist hopes these comments are helpful.</p>	Comments noted, and agreed.	Condition 22 will be amended.
Persimmon Homes Severn Valley	<p>Persimmon Homes Severn Valley support the adoption of a LDO for the Weston Airfield Food Quarter including the proposed access through the Haywood Village Business Quarter.</p> <p>We have one brief comment. It is not clear from the documentation whether it would include manufacturing non food products from the by products of any food processing, noting that the definition in the EC Regulations excludes 'residues'.</p>	Support welcomed, and comments noted. The site is intended to be solely for food and drink businesses and as such manufacturing of non-	None.

Respondent Name	Comment	Council Response	Document Changes
		food products will not be permitted.	
Coal Authority	Thank you for consulting The Coal Authority on the above. Having reviewed your document, I confirm that we have no specific comments to make on it. Should you have any future enquiries please contact a member of Planning and Local Authority Liaison at The Coal Authority.	Noted.	None.
Banwell Parish Council	At their last meeting on the 12th February 2018, Banwell Parish Council resolved to submit the following response to the Proposed Food Enterprise Zone Local Development Order; To support the initiative as it is an opportunity for diversification and closer links with academia. However, the Parish Council is concerned that the proposed Order includes the provision of up to 50% B8 use. It was felt that this could work against the aspirations for the proposed specialist development and could also have undesirable traffic implications.	Support welcomed. Comments noted. The LDO incorporates a sufficient limit on the size of individual units to address concerns. Part of the objective for Food Enterprise Zones is to co-locate manufacturing, storage and distribution.	None.
Highways England	Thank you for consulting Highways England on the Draft Local Development Order (LDO) for the Food Enterprise Zone at the Weston Airfield Business Quarter, Weston-super-Mare. Highways England, as part of our remit in supporting sustainable economic growth are happy to continue to work with yourselves, North Somerset Council, the site promoters and other stakeholders to bring forward this Food Enterprise Zone. As such, we welcome continued liaison as the plans for the development progress.	Comments noted.	As requested, amend the requirement for any

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	<p>The proposed LDO relates to the recently formed Food Enterprise Zone comprising 7.5ha of land, located within Weston Business Quarter, intended to grant outline planning permission for new business units in a B1, B2 or B8 use for use by food businesses, thereby making the planning process simpler and easier for food and drink businesses seeking premises or existing businesses seeking to expand.</p> <p>Overall, whilst we have made several observations on the documents submitted, we would like to confirm that in principle, Highways England has no objections for consent being granted for the LDO.</p> <p>Proposed Conditions</p> <p>We note that several conditions are proposed to be attached to the LDO in relation to transport. In general, these appear acceptable.</p> <p>Condition 14 states that a Construction Management Plan setting out details of the number and frequency of construction vehicle movements and routes will be required for any forthcoming developments. This is supported by Highways England, and we would welcome any early engagement in relation to this document. This document will also need to consider the impact of proposed developments on accidents/safety and non-motorised users.</p> <p>Condition 15 states that a Travel Plan should be submitted prior to the occupation of any phase of the development. Highways England welcome the inclusion of this condition, and welcomes the promotion of a movement towards sustainable transport, including reducing single car occupancy in favour of car-sharing, walking, cycling and public transport.</p> <p>Transport Assessment</p> <p>The proposed LDO states that development will not be permitted should the Local Planning Authority determine that a Transport Assessment/Transport Statement is necessary and one has not been submitted or if one has been submitted, any identified impacts have not been mitigated against and any necessary works</p>		<p>required TA/TS to be 'submitted' to be 'submitted and approved'.</p>

Respondent Name	Comment	Council Response	Document Changes
	<p>have not been carried out (part G). Highways England supports this, however we suggest that the wording is amended to make it clear that if a Transport Assessment/Statement is required, development will not be permitted until this document is submitted <i>and approved</i>. Highways England welcomes early engagement in determining the requirement of a Transport Assessment/Statement, and the adequacy of any such subsequently submitted documents.</p> <p>We note however, that the submission of a Transport Assessment/Statement is not listed as one of the conditions to be placed on the LDO. Given no assessment of trip generation or other transport impacts are presented at this stage as part of the LDO, Highways England considers that an application for development should include this, dependant on the size of the proposed development (in relation to the Transport Assessment thresholds as set by North Somerset Council). This should consider the requirements for any mitigation for highway impacts that the development may result in. In relation to the SRN, the main impact of development within the LDO area would be at junction 21 of the M5, accessed via the A370. Again, we welcome early engagement in relation to the scoping and evaluation of these documents.</p> <p>Summary</p> <p>Thank you for consulting Highways England on the Draft Local Development Order for the Food Enterprise Zone at the Weston Airfield Business Quarter, Weston-Super-Mare. We have made observations outlined above on the submitted documents and would welcome North Somerset Council taking these into consideration in relation to the progression of the LDO.</p> <p>Overall however, Highways England is supportive of the LDO and has no objections to it being adopted. We look forward to working further with North Somerset Council, the developers and other Stakeholders to progress this development.</p>		

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