

# Hartlepool Borough Council Local Development Order Queens Meadow

**1st April 2015 -  
31st March 2018**



**April 2015**



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## **1. Introduction**

- 1.1 In order to aid economic recovery and stimulate growth, the Government is pursuing its programme of Enterprise Zones throughout the country. The Tees Valley Enterprise Zone was announced as part of the Budget in 2011, and its format was agreed between the Government and Tees Valley Unlimited in August 2011. It includes twelve sites across the Tees Valley and developers of the sites will benefit from either business rates discount or enhanced capital allowances to support the growth of existing firms and/or attract significant inward investment. The financial incentives available as part of the Enterprise Zone designation have been extended to at least March 2018.
- 1.2 The Enterprise Zone initiative is intended to support and attract investment in key sectors which have been identified as having potential for growth in the Tees Valley. There are three sites within Hartlepool which are included within the Tees Valley Enterprise Zone: Queens Meadow Business Park, Hartlepool Port and Oakesway Business Park. Queens Meadow Business Park is a “business rates discount” Enterprise Zone.
- 1.3 As well as the financial benefits, Enterprise Zones provide an added incentive of simplified planning processes. Most of the Tees Valley Enterprise Zones will do this through Local Development Orders (LDOs). This means that for specific developments that help deliver the aims of the Enterprise Zone, planning permission will not be required. The introduction of LDOs is intended to provide greater certainty to potential developers in terms of planning decisions and reduce costs associated with securing planning consents.
- 1.4 The Queens Meadow Business Park Enterprise Zone will be guided by a Local Development Order. The LDO will allow development to be undertaken without the need for planning permission to be obtained, providing the development is carried out in accordance with established design guidance and conditions. This LDO sets out the details by which developments will be permitted within the Queens Meadow Business Park and the associated design guidance and conditions that need to be satisfied.

## 2. Purpose of the Tees Valley Enterprise Zone

- 2.1 The economic strategy for the Tees Valley is to drive the transition from a high value, high carbon economy to a high value, low carbon economy focused on renewable energy, new technologies, biological feedstocks and the reduction of the carbon footprint of existing industries. Further support will be given to emerging new sectors such as digital and creative industries. One mechanism for delivering the economic strategy for the Tees Valley is the creation of Enterprise Zones, tailored to the specific and complex challenges and opportunities of the Tees Valley.
- 2.2 The Tees Valley Enterprise Zone is a collection of individual sites across the Tees Valley. The individual sites are identified in Table A. The Queens Meadow Enterprise Zone is allocated as a site that benefits from Business Rates Discounts.

**Table A: Tees Valley Enterprise Zones**

| <b>Tees Valley Borough</b>    | <b>Site Name</b>       | <b>Enterprise Zone Type</b> |
|-------------------------------|------------------------|-----------------------------|
| <b>Hartlepool</b>             | Queens Meadow          | Business Rates Discount     |
|                               | Oakesway               | Business Rates Discount     |
|                               | The Port               | Enhanced Capital Allowance  |
| <b>Stockton on Tees</b>       | Belasis Hall           | Business Rates Discount     |
|                               | North Shore            | Business Rates Discount     |
|                               | Energy & Tech Park     | Enhanced Capital Allowance  |
| <b>Redcar &amp; Cleveland</b> | Kirkleatham            | Business Rates Discount     |
|                               | South Bank Wharf       | Enhanced Capital Allowance  |
|                               | Wilton                 | Enhanced Capital Allowance  |
| <b>Middlesbrough</b>          | South West Ironmasters | Business Rates Discount     |
|                               | St Hilda's             | Business Rates Discount     |
| <b>Darlington</b>             | Central Park           | Business Rates Discount     |

- 2.3 The rationale behind the Tees Valley Enterprise Zone creation is to:
- Support the existing petrochemical, process and engineering industries to modernise, making them more sustainable and competitive.
  - Create an attractive platform to secure large-scale inward investors, particularly foreign direct investment in the petrochemical, process and advanced engineering sectors.
  - Encourage the growth of existing and new supply chains to support our large-scale industries.
  - Support the emerging and fast growing digital sector.
- 2.4 The Enterprise Zone strategy therefore is to:
- Use Business Rate Discount for those sites which are aimed at fostering indigenous small- and medium sized businesses which form the supply chain of the area's heavy industries such as petro-chemicals, renewable energy and advanced engineering or which are part of the area's emerging and fast-growing digital sector
  - Offer Enhanced Capital Allowances to support the petro-chemical, renewable energy production and fabrication and advanced engineering sectors to

modernise and expand their activities and to attract large-scale inward investors, particularly Foreign Direct Investment (FDI).

- Simplify the planning controls on the Enterprise Zone sites.

2.5 Only businesses that fall into one of the three business growth sectors will be allowed to take advantage of the financial incentives. These are:

- Advanced Engineering & Advanced Manufacturing;
- Chemical, Pharmaceutical & Biotechnology, and;
- Renewable Energy Manufacturing.

It will be to the discretion of the Local Enterprise Partnership Board, in consultation with the Local Planning Authority as to whether a proposed business is deemed to fall within one of the three business sectors.

2.6 Within the three business sectors, only certain business types will be appropriate at each specific Enterprise Zone in the Tees Valley. For the Queens Meadow Enterprise Zone, the appropriate business types are identified in Table B.

### **3. Simplifying Planning on Enterprise Zones**

- 3.1 A requirement of the Enterprise Zone designation is that planning controls are 'simplified'. The Government is promoting the use of Local Development Orders (LDO) as a means to simplify the planning process. Hartlepool Borough Council therefore intends to establish an LDO for the Queens Meadow Enterprise Zone.
- 3.2 LDOs are an established part of the planning system having been introduced through the Town and Country Planning Act (1990). Their roles and functions have been revised through subsequent legislation as follows:
- Sections 61A-D and Schedule 4A to the Town and Country Planning Act 1990 as amended;
  - Planning and Compulsory Purchase Act 2004;
  - Section 188 of the Planning Act 2008;
  - Town and Country Planning (Development Management Procedure) (England) Order 2010, and
  - Growth and Infrastructure Act 2013
- 3.3 An LDO will enable development that supports the aims and objectives of the Tees Valley Enterprise Zone to be undertaken without the need for planning permission. This should encourage development by providing a high degree of certainty to developers and investors, as well as reducing costs through the removal of planning application fees.
- 3.4 An LDO sets out the type of development that will no longer need to be subject to a planning application. If the proposed development falls within the categories defined in the LDO and provided it satisfies certain conditions and development requirements, it is assumed that for planning purposes consent is granted and the work can start right away. Developments within the LDO area that do not fall within the specified criteria or do not meet the conditions or development requirements may still be suitable but will be subject to the normal planning consent procedures.
- 3.5 LDOs do not obviate the need to obtain other statutory consents such as Building Regulations approval, consents under Highways Legislation, Listed Building Consent, Health and Safety Executive consents etc.
- 3.6 The LDO does not alter or supersede any existing planning consents within the LDO boundary. Any development approved through such planning consents can continue to develop without being affected by any direction from this LDO.

#### 4. The Queens Meadow Enterprise Zone

4.1 As outlined in Table A, the Queens Meadow Business Park is allocated as part of the Tees Valley Enterprise Zone.

##### **Proposed Land Uses**

4.2 The current Queens Meadow Business Park is allocated through the Hartlepool Local Plan (2006). The Business Park is allocated for the following uses:

- (B1) Offices, research and development of products and processes, light industry appropriate in a residential area;
- Certain (B2) General Industry (excluding incineration purposes, chemical treatment or landfill or hazardous or inert waste), and;
- (B8) Storage and Distribution.

The proposed LDO proposes uses within the above use classes.

##### **Proposed Business Sectors**

4.3 Through the LDO the following business sectors will be appropriate on the Queens Meadow site:

- Advanced Engineering & Advanced Manufacturing
- Chemical, Pharmaceutical & Biotechnology
- Renewable Energy Manufacturing

4.4 However, not all business types will be appropriate on the site due to the nature of the development in relation to identified constraints on the Enterprise Zone site. Therefore only business types identified in Table B, within the identified business sectors above, will be appropriate on the Queens Meadow Enterprise Zone.

***Table B: Appropriate Business in Acceptable Business Sectors***

| <b>Business Sector</b>                                   | <b>Appropriate Business Type</b>   |
|--|--|
| <b>Advanced Engineering &amp; Advanced Manufacturing</b> | An appropriate business would be an engineering or manufacturing place which makes extensive use of computers, high precision, and information technologies integrated with a high performance workforce in a production system capable of furnishing a mix of products. |
| <b>Chemical, Pharmaceutical &amp; Biotechnology</b>      | An appropriate business would be a land use falling only within the B1 use class. No business identified in this sector and falling within use class B2 will be allowed.   |
| <b>Renewable Energy Manufacturing</b>                    | An appropriate business would be an engineering or manufacturing place which designs and/or makes equipment that can be used to harness renewable energy.  |

4.5 The Queens Meadow Enterprise Zone benefits from Business Rates Discount. For details on the areas within Queens Meadow that will benefit from the financial incentives please consult the details below:

**Website:** <http://www.destinationhartlepool.com/>

**Contact:** Antony Steinberg  
Economic Development Manager

**Tel:** (01429) 857081

**Email:** [antony.steinberg@hartlepool.gov.uk](mailto:antony.steinberg@hartlepool.gov.uk)



## **5. Queens Meadow Business Park Site**

- 5.1 The Queens Meadow Enterprise Zone is located on the frontage of the Queens Meadow Business Park. Diagram 1 identifies the Enterprise Zone boundary in relation to the wider Queens Meadow Business Park allocation. The Queens Meadow LDO boundary equates to a total area of 33ha divided between 17ha in area A and 16ha in Area B.

### **Planning History**

- 5.2 In the 1994 Local Plan, the high quality Queens Meadow site referred to in policies Ec2 and Ec3 comprised only the frontage area of the available land within and adjoining the Corus (former British Steel) South Works site. The site was previously known as the 'East Greatham' industrial site. The Queens Meadow Business Park was identified as a strategic site in the English Partnership report 'Locations for Strategic Economic Development in the North East'.
- 5.3 The site is identified in the 2006 Local Plan as a Business Park, allocated for B1 Business, B2 General Industry and B8 Storage and Distribution.

### **Surrounding Area**

- 5.4 As identified on Diagram 1 the site is located to the south of the Fens residential area and to the east of Greatham village. The site is bordered by the A689 to the north, beyond which is a residential area. The amenity of the Fens residential area and Greatham village need to be considered in any new development proposals within the Enterprise Zone. To the south and east of the site lies the South Works industrial area.

### **Site Description**

- 5.5 The site is an existing Business Park in early stages of development. The site has been partly developed and fully serviced across 12 ha. Existing development, including the Cleveland Fire Brigade HQ, is primarily along the frontage of the A689. The frontage of the Business Park site is landscaped to a high standard, with tree-planting along wide spine roads.

### **Existing Site Development**

- 5.6 The Queens Meadow Business Park was previously used as a civic airport, and then subsequently developed as part of the British Steel / Corus steelworks. The original 'works' building dating from the 1950s has been refurbished and now is occupied by the Cleveland Fire Brigade HQ. A row of 7 modern hybrid office/light industrial units have been developed by Rivergreen Developments along the frontage of the site with the A689. These 2-storey units have offices to the front and business workspace to the rear with roller shutter doors and detailed planning approval exists for an additional 40,000 sq ft. UK Steel Enterprise has completed development of 47,000 sq. ft. of high quality managed workspace. Hub 1 offers both office and workshop accommodation and the newly built hub 2 provides office accommodation.

### Existing Infrastructure

- 5.7 The Queens Meadow Business Park is served by a full complement of existing utilities and infrastructure, including the following.

#### *Transport Access*

- 5.8 There is vehicular, pedestrian and cycle access from the A689 main road via a dual carriageway including a dedicated junction serving the frontage of the Business Park, which merges into the standard estate road network. The rear of the Business Park is undeveloped and in order to access the rear, extensions to the estate road network will need to be constructed.

#### *Utilities Provision*

- 5.9 There is established on-site surface water drainage, foul water drainage, electricity, gas, telecommunications and water, with some utilities managed through dedicated service ducts. It is recommended that developers contact the relevant utility provider when designing a new development on the Business Park, contact details can be found in table A.

### Potential Constraints

- 5.10 The known potential constraints relating to the site are set out below, and represent the information available to the Local Planning Authority at the time of preparing this LDO. It is recommended that any potential developers seek clarification regarding these issues prior to commencing any development.

#### *Residential Amenity*

- 5.11 There are residential areas at the Fens and Greatham village that have the potential to be affected by certain types of new development on Queens Meadow. Controls on development generated noise, dust, smell, vibration and general disturbance will be placed on development enabled through this LDO. In order to protect the visual amenity of nearby residential areas no building heights on the site can exceed 12m.

#### *Noise*

- 5.12 Any development needs to take into consideration the nearby residential areas and existing and future business occupiers of the Queens Meadows Business Park. Therefore, unless agreed by the Local Planning Authority, development generating noise in excess of the thresholds identified in Table C, as measured at the boundary of the LDO site, will not be permitted through the LDO.

**Table C: Maximum Noise Thresholds**

| Time           | Noise Thresholds              |
|----------------|-------------------------------|
| 23:00 to 06:00 | 40dB LAeq5min and 55dB LAFmax |
| 06:00 to 23:00 | 55dB LAeq1hr and 65B LAFmax   |

#### *Flood Risk*

- 5.13 The LDO area is identified as being within Flood Zone 1, and it therefore considered being at low risk of flooding. A flood risk assessment will only be required if developments take up in excess of 1ha of land. This requirement is set out in the conditions of the LDO.

#### *Health & Safety Executive Consultation Zones*

- 5.14 No part of the site is within any identified HSE consultation zones.

#### *Contamination*

- 5.15 The Borough Council recently undertook a review of the historical plans dating back to 1861 on the Queens Meadow Business Park. Initially in the 1800s, the land is shown as agricultural. The first evidence of significant development in the area is shown in the late 1930s and includes the presence of several structures and areas of hard standing. In the 1950s, West Hartlepool Civic Airport is shown to be in south/south west of the area. By the 1960s, the area is progressively built up with industrial use including the steel works and railway land. The existing Cleveland Fire Brigade building is shown from 1964.
- 5.16 For the development of the new Cleveland Fire Brigade building, the Borough Council recommended site investigation works to include a combined geotechnical and contamination assessment; this type of investigation work is considered applicable to the general surrounding area making up the Queens Meadow Business Park.
- 5.17 The Borough Council recommends that a similar assessment should be undertaken prior to any new development on the site. The assessment should identify any potential risks associated with existing site conditions. Given the site history, there are potential areas of “made up” ground in certain localities of the site, and a full ground investigation is recommended.

#### *Landfill Gas Migration*

- 5.18 The site lies within 250m of 2 former landfill sites. There may be potential for landfill gas to be generated. Early consultation with Hartlepool Borough Council is recommended.

#### *Habitats and Biodiversity*

- 5.19 Initial habitat surveys have identified that other than breeding birds there are no identified habitats that support protected species, or actual protected species currently present on the site. Breeding birds are afforded protection under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. Early consultation with Hartlepool Borough Council is recommended.

#### *Historic Environment*

- 5.20 In the northeast part of the Queens Meadow site there is a WWII Pillbox (HER No 987) which needs to be retained as a heritage asset. Other than the Pillbox there are no other buildings of historic merit that need to be taken into consideration on site.

#### *Building Regulations*

- 5.21 Any development would require compliance with the Building Regulations and Hartlepool Borough Council would be available to provide further advice and guidance to ensure the project is dealt with as efficiently as possible.

## 6. Pre Development Consultations

- 6.1 Where the identified constraints mentioned in the previous section are relevant there will be a requirement to consult an appropriate organisation. The following contacts in Table D are of relevance:

**Table D: Contact Details**

| <b>Consideration</b>                    | <b>Organisation Details</b>   |
|---|---|
| <b>Hartlepool Borough Council</b>       | <b>Planning Services Manager</b><br>Hartlepool Borough Council<br>Tel: (01429) 523596<br>Email: <a href="mailto:andrew.carter@hartlepool.gov.uk">andrew.carter@hartlepool.gov.uk</a>  |
| <b>Electricity</b>                      | <b>NEDL</b><br>Durham Training Centre (RIC), Kepier Farm,<br>Durham City, DH1 1LB   |
| <b>Gas</b>                              | <b>Northern Gas Networks</b><br>Burradon Operational Unit, Mylord Crescent,<br>Burradon, NE12 0UJ   |
| <b>Water</b>                            | <b>Hartlepool Water</b><br>3 Lancaster Road, Hartlepool, TS24 8LW   |
| <b>Surface and Sewer Water Drainage</b> | <b>Northumbrian Water</b><br>Leat House, Pattinson Road, Washington,<br>NE38 8LB<br>Tel: (0191) 4196603   |
| <b>Flood Risk Management</b>            | <b>Environment Agency</b><br>Skinnerburn Road, Newcastle Upon Tyne<br>NE4 7AR<br>Tel: (0191) 2034203  |
| <b>Environmental Considerations</b>     | <b>Natural England Consultation Service</b><br>Hornbeam House, Crewe Business Park, Crewe<br>CW1 6GJ<br>Tel: 0300 060 4654<br>Email: <a href="mailto:consultations@naturalengland.org.uk">consultations@naturalengland.org.uk</a> |

- 6.2 Pre development advice and the formal discharging of conditions will be chargeable by the Borough Council.

### **Pre Development Advice**

- 6.3 As per the requirements of the LDO, certain information will need to be submitted to the Borough Council prior to any development being undertaken in accordance with the LDO. Pre development discussions will ensure greater certainty and clarity to the developer by identifying planning issues and requirements to ensure that the proposed development will be in accordance with the requirements of the LDO.
- 6.4 The Borough Council will aim to respond to all pre development advice with 15 to 25 working days. For further advice and a detailed illustration of the pre development advice service, including fees and timescales, please consult the Hartlepool Borough Council website.

Website: [www.hartlepool.gov.uk](http://www.hartlepool.gov.uk)

### **Discharging of Planning Conditions**

- 6.5 A development that is commenced without compliance with the conditions contained in the LDO will be at risk of being unauthorised development. There is a fee associated with the discharge of planning conditions. The procedures apply with regard to all requests made to the Council to discharge conditions imposed on planning approvals or requests seeking confirmation of compliance with such conditions (as in the case of the requirements set out in the Enterprise Zone LDO's). The request can be made in any written form, which is clear, understandable and identifies the relevant permission and conditions concerned.
- 6.6 The fee payable for requests is £85.00. The fee must be submitted at the same time the request is made. Requests that are received without the appropriate fee will be returned unanswered. The fee is payable for each request made. A single request may seek to discharge more than one condition. If you later decide to change the details of an agreed condition a new payment is required.
- 6.7 The Borough Council will seek to respond within eight weeks. A longer period of time may be required where ongoing discussion and correspondence are necessary. If the authority fails to provide confirmation or notification that confirmation cannot be provided within twelve weeks of the date of receipt, the fee will be refunded.
- 6.8 Any advice requests regarding pre development or conditions should be made to the Planning Services Manager; see contact details in table B.

## 7. Statement of Reasons

7.1 The following paragraphs outline the rationale behind creating the LDO.

### **Description of Development Granted Planning Permission**

7.2 The Local Development Order (LDO) grants planning permission, exclusively for buildings and associated development relating to:

- (B1) Offices, research and development of products and processes, light industry appropriate in a residential area;
- Certain (B2) General Industry (excluding incineration purposes, chemical treatment or landfill or any operation (processing or storage) or activity involving hazardous or inert waste), and;
- (B8) Storage and Distribution.

Specifically related to the following business sectors:

- Advanced Engineering & Advanced Manufacturing
- Chemical, Pharmaceutical & Biotechnology
- Renewable Energy

Providing that:

- The development falls into one or more of the business types identified in Table 1, and;
- The Development Requirements identified in Table 2 are satisfied, and;
- The Conditions in Table 3 are satisfied, and;
- Submissions are made to the Local Planning Authority by 31<sup>st</sup> April 2018.

7.3 The LDO would apply to the land identified in Diagram 1, in the LDO, which forms part of the wider Queens Meadow Business Park.

7.4 The LDO does not permit changes of use between use classes or from a different land use within the same use class to any use which is not specifically identified in the LDO. If a change is proposed a planning application would be required. The purpose of the restriction is to support development in these key growth sectors and to restrict any uses which may be detrimental or inappropriate to this location.

### **Justification for Creating the LDO**

7.5 As part of its commitment to economic recovery and growth, the Government has introduced Enterprise Zones to stimulate private sector investment and support business development. The two key components of Enterprise Zones are the provision of financial incentives to support investment and the simplifying of the planning system. The Government is advocating the use of LDOs as a means to simplify the planning process. An LDO is considered to be the most appropriate mechanism for the Queens Meadow Enterprise Zone.

7.6 This LDO will allow development to be undertaken without the need for planning permission to be obtained provided they comply with specified development requirements and conditions. In exempting certain defined development from the need to obtain specific planning permission, developers will save on planning application costs and the time required to process applications. Developers will also

benefit from receiving a greater degree of certainty that their can go ahead as permission is granted provided they meet the agreed conditions and development requirements.

7.7 The Queens Meadow Business Park has been designated as a “business rates discount” Enterprise Zone. This will allow any businesses that meet the criteria set out in the LDO to locate to the zone and take advantage of the business rates discount. The discount subsidised by Government is then retained by Tees Valley Unlimited (the Local Enterprise Partnership) and the local authorities to reinvest locally.

7.8 The types of businesses identified in the LDO are restricted to the following specific business sectors:

- Advanced Engineering & Advanced Manufacturing
- Chemical, Pharmaceutical & Biotechnology
- Renewable Energy

The business sectors proposed for Queens Meadow will attract investment into the Borough, in areas identified as growth sectors for the Tees Valley and the Borough of Hartlepool; contributing towards the aim of creating a more diversified and inclusive economy.

#### **Statement of Policies that the LDO will Implement**

7.9 The LDO supports the implementation of existing strategies, plans and policies at a national and local level. The relevant policies are listed below:

*National Planning Policy Framework 2012*  
Paragraphs 17 to 21

*National Planning Practice Guidance*  
'When is permission required' Updated 5<sup>th</sup> March 2015

*Local Planning Policy (Hartlepool Local Plan 2006)*  
GEP1 General Environmental Principles  
GEP2 Access for All  
GEP3 Crime Prevention by Planning and Design  
GEP12 Trees, Hedgerows and Development  
Ind3 Queens Meadow Business Park  
Tra 20 Travel Plans

#### **Lifetime of the LDO**

7.10 The LDO originally commenced on 1<sup>st</sup> April 2012 and was due to expire on 1<sup>st</sup> April 2015. The LDO has now been extended for a further three years and will now expire on 1<sup>st</sup> April 2018.

7.10 Once the LDO expires on 1<sup>st</sup> April 2018 the Local Planning Authority will have three options available:

- Extend the LDO under the same criteria and conditions;
- Revise the LDO and modify the criteria and conditions; or
- Revoke the LDO and return to the established planning system.

7.11 Any development which has commenced under the provision of the LDO will be allowed to be completed within a reasonable time period, in accordance with the terms and conditions of the LDO.

### **Monitoring the LDO**

7.12 The LDO will be subject to continuous monitoring to assess its effectiveness in achieving economic growth objectives; ensuring development is appropriate. The full details of the monitoring framework are set out in Appendix 1. The monitoring information will be incorporated in the Annual Monitoring Report.

### **Development Requirements**

7.13 Taking into consideration the location of the Business Park, existing and proposed users and also the need to protect the amenity nearby residential areas it is imperative that any new development be in accordance with the design requirements and conditions set out in Tables 2 and 3 identified in the LDO. In summary these seek to secure:

- A high standard of design and materials used;
- Maximum building height of 15m;
- Appropriate development plot coverage;
- Energy efficiency measures;
- Appropriate surface water and sewer drainage infrastructure;
- Adequate access, parking and road infrastructure;
- High quality landscaping and planting;
- Development that does not generate inappropriate noise and disturbance;
- Development that effectively deals with any on-site contamination;
- Development that considers crime prevention; and
- Appropriate development considering the Local Wildlife Site.

7.14 Some developments will not be appropriate on the Queens Meadow Business Park due to the nature of the development in relation to identified constraints on the site. Inappropriate uses will be restricted by virtue of them not being named in the suitable business sector definition criteria; therefore not being in accordance with the LDO criteria. The business type criteria are defined in Table 1 in the LDO.



### **Other Statutory Requirements**

7.15 Whilst the LDO grants planning permission for certain types of development at Queens Meadow Business Park it does not grant other consents that may be required under other legislation. 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.

7.16 Although not an exhaustive list, particular attention is drawn to the following relevant legislation:

#### *European*

- Directive 92/43/EEC (Habitats)
- Directive 85/337/EEC (amended by Directive 97/11/EC) (Environmental Impact Assessment)

#### *National*

- Wildlife and Countryside Act 1981
- The Conservation (Natural Habitats, &c.) Regulations 1994
- The Environmental Permitting (England and Wales) Regulations 2010
- Health and Safety Executive
- Building Regulations
- The Town and Country Planning Act 2007 (Control of Adverts)(England)
- The Planning Act 1990 (Hazardous Substances)
- The Planning Regulations 1992 (Hazardous Substances)
- The Highways Act

7.17 Failure to comply with the relevant statutory requirements could result in any development being unlawful and may result in appropriate enforcement action being taken by the Borough Council and/or other agencies. It is the responsibility of the developer/development to be in accordance with all relevant legislation.

**End of Supporting Documentation**

## **Queens Meadow Local Development Order**

**Within the Queens Meadow Enterprise Zone identified on diagram 1, planning permission is granted, exclusively for the following land use, buildings and associated development at Area (A) for:**

- **(B1) Offices, research and development of products and processes, light industry appropriate in a residential area, and;**

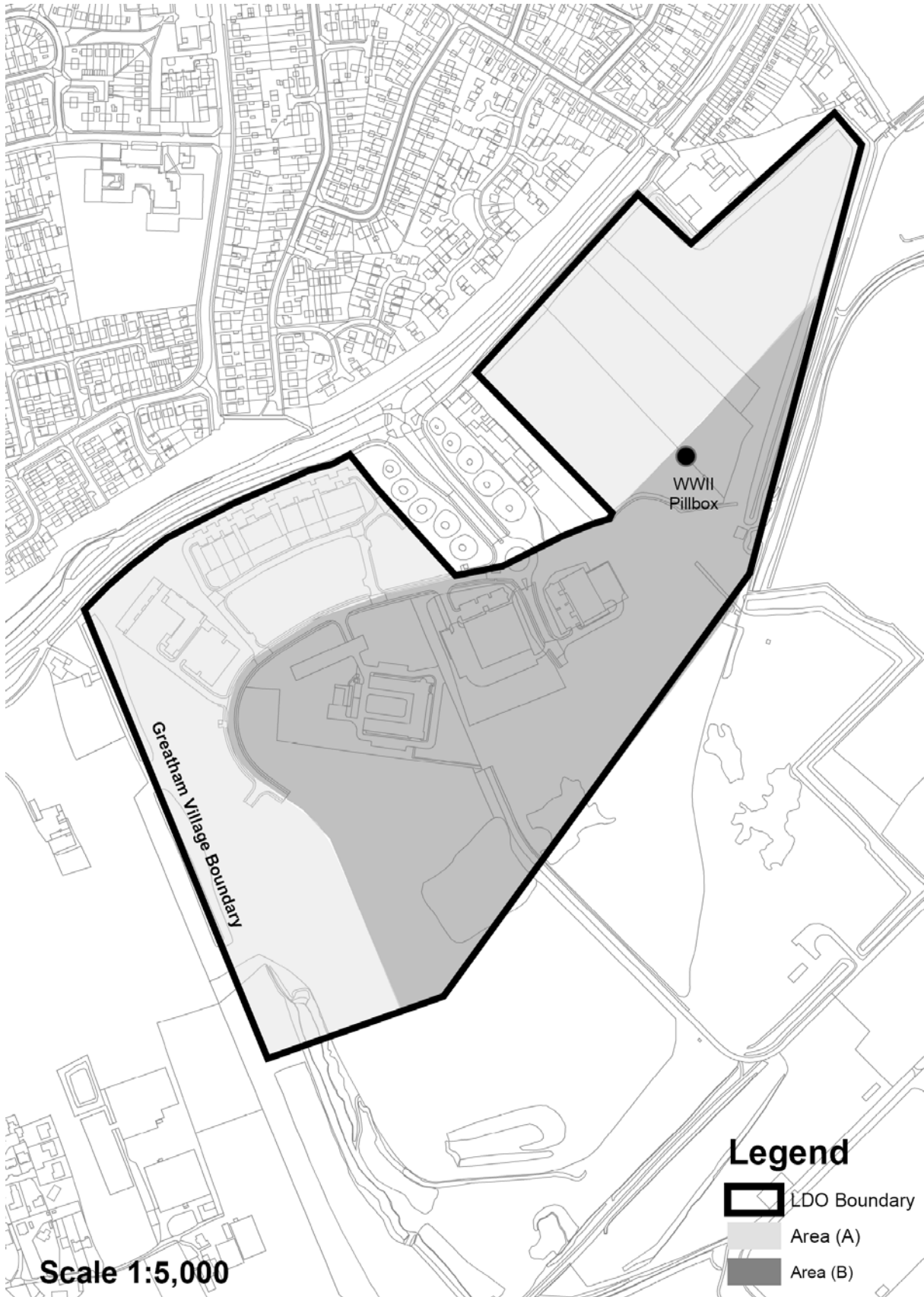
**And for the following land uses, buildings and associated development at Area (B) for:**

- **(B1) Offices, research and development of products and processes, light industry appropriate in a residential area;**
- **(B2) General Industry (excluding incineration purposes, chemical treatment or landfill or any operation (processing or storage) or activity involving hazardous or inert waste), and;**
- **(B8) Storage and Distribution.**

**Providing that:**

- **The development falls into one or more of the business types identified in Table 1, and;**
- **The Development Requirements identified in Table 2 are satisfied, and;**
- **The Conditions in Table 3 are satisfied, and;**
- **Submissions are made to the Local Planning Authority by 31<sup>st</sup> March 2018.**

**Diagram 1: Queens Meadow Local Development Order Boundary**



**Scale 1:5,000**  
Crown Copyright Licence No. 100023390 (2011)

**Table 1: Appropriate Business Type**

| <b>Acceptable Business Sector</b>                        | <b>Appropriate Business Type</b>   |
|--|--|
| <b>Advanced Engineering &amp; Advanced Manufacturing</b> | An appropriate business would be an engineering or manufacturing place which makes extensive use of computers, high precision, and information technologies integrated with a high performance workforce in a production system capable of furnishing a mix of products. |
| <b>Chemical, Pharmaceutical &amp; Biotechnology</b>      | An appropriate business would be a land use falling only within the B1 use class. No business identified in this sector and falling within use class B2 will be allowed.   |
| <b>Renewable Energy Manufacturing</b>                    | An appropriate business would be an engineering or manufacturing place which designs and/or makes equipment that can be used to harness renewable energy.  |

**Table 2: Development Requirements**

| Development Requirements  | Requirement Reason  |
|---|---|
| <p><b>Development Design</b></p> <p><i>Building Design</i></p> <p>(1) A high standard of design and materials used will be required on all developments.<br/>           (2) No building heights should be in excess of 12m.</p> <p><i>Development Plot Coverage</i></p> <p>(3) No more than 35% of each individual development plot will be covered by buildings.<br/>           (4) All buildings and associated development will be located within the LDO boundary and no building shall be located within 5m of the development boundary plot to allow for appropriate landscaping and planting.</p> <p><i>Energy Efficiency</i></p> <p>(5) All buildings will be designed to ensure energy consumption is minimised and meets the Building Research Establishment's Environmental Assessment Method (BREEAM) "very good" ratings unless the nature of the business prevents this.</p> <p>(6) Developments in excess of 1,000m<sup>2</sup> floorspace and where the building allows will secure a minimum of 10% of their energy supply from a decentralised and renewable or low carbon source unless the nature of the business prevents this. The following renewable energy sources will be suitable:</p> <ul style="list-style-type: none"> <li>• Photo voltaic panels or tiles</li> <li>• Micro wind turbines</li> <li>• Combined heat and power</li> <li>• Biomass boilers</li> <li>• Ground/air source heat pumps</li> <li>• Solar thermal hot water</li> </ul> | <p>(1)(3)(4)<br/>           To ensure the high quality physical environment of the Business Park is maintained.</p> <p>(2)<br/>           To protect the residential amenity of Greatham village.</p> <p>(5)(6)<br/>           To ensure new development is energy efficient.</p> |

| Development Requirements  | Requirement Reason  |
|---|---|
| <p><b>Surface Water, Sewer Drainage Infrastructure and Flood Risk</b></p> <p><i>Surface Water Drainage</i><br/> (7) Surface water drainage, will utilise Sustainable Urban Drainage methods and where possible incorporate habitat creation in the design. All new drainage will be designed to protect and accommodate any existing drainage and sewer infrastructure within the Queens Meadow Business Park, including provisions made for physical inspection and maintenance. All new drainage will be designed and constructed to a standard to allow adoption by the relevant infrastructure body.</p> <p><i>Sewer Drainage infrastructure</i><br/> (8) Early consultation with Northumbrian Water Ltd, the Environment Agency and Hartlepool Borough Council, as a minimum, is essential to arrange an appropriate drainage infrastructure as part of any development.</p> <p><i>Flood Risk</i><br/> (9) Any development in excess of 1ha total area will need to be accompanied by a Flood Risk Assessment (FRA), submitted to the Local Planning Authority for consideration. The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account.</p> | <p>(7)(8)<br/> To ensure adequate drainage is provided.</p> <p>(9)<br/> National Planning Policy Framework, paragraphs 100-104<br/> National Planning Practice Guidance 'Flood Risk &amp; Coastal Change'</p> |

**Development Requirements**

**Requirement Reason**

**Access, Parking and Road Infrastructure**

*Access & Parking Provision*

(10) All new buildings and associated development will be required to be fully accessible by all users by a range of transport, including vehicular, pedestrian and cycling, and have regard to servicing arrangements and highway safety.

(11) All new development will be in accordance with the most up-to-date version of “Design Guide & Specification for Residential and Industrial Estates Development” document. The document is available at the following weblink:

[http://www.hartlepool.gov.uk/downloads/file/610/highways\\_design\\_guide\\_and\\_specification](http://www.hartlepool.gov.uk/downloads/file/610/highways_design_guide_and_specification)

*Internal Road Infrastructure*

(12) All estate road continuation or extension carriageways will be a minimum of 7.3m wide, with a minimum 2m wide grass verge/service strip and minimum 2m wide footpath. Cycle path provision will be required and be designed to be consistent with existing adjoining cycle paths.

(13) Access from a development site onto the estate road network will be via an access road being a minimum of 5.5m wide.

(14) All new roads will be constructed to a standard to allow adoption by Hartlepool Borough Council. Early consultation with Hartlepool Borough Council is essential to ensure an appropriate infrastructure is delivered.

*Transport Assessment*

(15) Any development in excess of the gross internal floorspace thresholds below, will be accompanied by a Transport Assessment, submitted to the Local Planning Authority for consideration:

- B1 >2,500m<sup>2</sup>
- B2 >4,000m<sup>2</sup>
- B8 >5,000m<sup>2</sup>

(10)(11)(12)(13)(14)  
To ensure newly constructed road infrastructure is of an adequate capacity and quality to allow adoption by the Borough Council.

(15)  
To ensure new development does not impact on existing transport infrastructure.



| Development Requirements  | Requirement Reason  |
|---|---|
| <p><b>Landscaping &amp; Planting</b></p> <p><i>General Landscaping &amp; Planting</i></p> <p>(16) High quality landscaping incorporating indigenous tree and shrub planting, and where possible wetland habitat creation will be required within the curtilage of appropriate developments. Early consultation with Hartlepool Borough Council is essential to ensure an appropriate infrastructure is delivered.</p> <p>(17) The landscape around each building should provide an attractive setting to the building and a high quality environment for its users. Semi-ornamental tree and shrub planting will be appropriate around the entrance and visitors car parking areas whereas service areas and incidental spaces will be planted with indigenous species of trees and shrubs.</p> <p><i>Specific Landscaping &amp; Planting</i></p> <p>(18) Landscaping, fencing and appropriate screening and planting, which mitigate against the effects of noise and disturbance and protect visual amenity, will be required on developments on the Greatham village boundary (identified on diagram 1).</p> | <p>(16)(17)<br/>To ensure the high quality physical environment and natural habitat of the Business Park is maintained.</p> <p>(18)<br/>To protect the residential amenity of Greatham village.</p> |

| Development Requirements   | Requirement Reason  |
|--|---|
| <p><b>Development Generated Noise, Dust, Smell, Vibration and General Disturbance</b></p> <p>(19) Any buildings shall be constructed so as to provide insulation against internally generated noise, dust, smell, vibration and general disturbance. Early consultation with Hartlepool Borough Council is essential.</p> <p>(20) Unless agreed by the Local Planning Authority, development or associated activities and operations generating noise in excess of the thresholds identified below, as measured at the boundary of the LDO site, will not be permitted through the LDO.</p> <ul style="list-style-type: none"> <li>• 23:00 to 06:00 (40dB LAeq5min and 55dB LAFmax)</li> <li>• 06:00 to 23:00 (55dB LAeq1hr and 65B LAFmax)</li> </ul> <p>Early consultation with Hartlepool Borough Council is essential to ensure any new development is in accordance with the noise level threshold.</p> | <p>(19)(20)<br/>To protect the residential amenity of nearby residential areas and other Business Park occupiers.</p>   |
| <p><b>Outside Storage</b></p> <p>(21) Outdoor storage of any active material that can be windborne will not be allowed.</p> <p>(22) Areas for outside storage will be appropriately designed to minimise visual impact and be effectively screened from the highway and any public viewpoint. Outside storage stacking heights will not exceed 3m in height.</p>   | <p>(21)<br/>To protect the residential amenity of nearby residential areas and other Business Park occupiers.</p> <p>(22)<br/>To ensure the high quality physical environment of the Business Park is maintained.</p> |

| Development Requirements  | Requirement Reason   |
|---|--|
| <p><b>Contamination</b></p> <p>(23) If any contamination is identified, the development must remove, contain or otherwise render harmless the contamination previous to the development site being occupied. If contamination is found on site, early consultation with Hartlepool Borough Council is essential to ensure any new development deals with any contamination effectively.</p> | <p>(23)<br/>To ensure that risk from land contamination to the future users of the land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.</p> |
| <p><b>Crime Prevention</b></p> <p>(24) All developments will be encouraged to meet the principles of “Secured by Design”.<br/>(25) Early consultation with Hartlepool Borough Council is encouraged to ensure any new development considers the principles of Secured by Design principles.</p>   | <p>(24)(25)<br/>In the interests of crime prevention.</p>  |
| <p><b>Environmental Impact Assessment (EIA)</b></p> <p>(26) Development considered EIA development, through EIA screening, cannot be delivered through this Local Development Order and must be determined through a planning application.</p>  | <p>(26)<br/>To ensure any new development is not an EIA development.</p>   |

**Table 3: Planning Conditions**

| No | Condition   | Reason   |
|----|---|--|
| A  | <p><b>Development</b><br/>Development will be implemented in accordance development requirements set out in Table 2.</p>  | <p>To ensure only appropriate development takes place on the site.</p>                 |
| B  | <p><b>Surface Water</b><br/>Details for the provision and implementation of surface water drainage and run off limitation incorporating sustainable urban drainage solutions shall be submitted to and approved in writing by the Local Planning Authority before development commences, and be implemented and managed in accordance with the approved details.</p>  | <p>To ensure adequate drainage is provided.</p>  |
| C  | <p><b>Flood Risk</b><br/>Where a Flood Risk Assessment (FRA) is required, the FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. The FRA will be submitted to and approved in writing by the Local Planning Authority before development commences, and be implemented in accordance with the approved details.</p> | <p>To ensure the risk of flooding is reduced and mitigated against.</p>                |
| D  | <p><b>Transport Assessment</b><br/>Where a Transport Assessment is required it will be submitted to and approved in writing by the Local Planning Authority before development commences, and be implemented in accordance with the approved details, including the implementation of any off-site works where required.</p>  | <p>To ensure new development does not impact on existing transport infrastructure.</p> |

| No | Condition  | Reason   |
|----|--|--|
| E  | <p><b>Development Generated Disturbance</b><br/> Outdoor storage of any active material that can be windborne shall not take place. Any windborne material must be stored in an appropriate building.</p>  | <p>To protect the residential amenity of nearby residential areas and other Business Park occupiers.</p> |
| F  | <p><b>EIA Screening Request</b><br/> A request for an Environmental Impact Assessment (EIA) screening opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (or any subsequent amended legislation) shall be submitted to and assessed by the Local Planning Authority before development commences.</p> <p>Should the screening opinion find the proposed development is EIA development, no development shall be commenced and a planning application will be required.</p> | <p>To ensure any new development is not an EIA development.</p>  |
| G  | <p><b>Changes of Business Type</b><br/> There will be no permitted change of use between use classes and/or to a different land use within the same use class as identified in the Town and Country Planning Use Classes Order 1987 or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that order with or without modification. If a change is proposed, other than to those specific uses mentioned in the LDO, a planning application would be required.</p>           | <p>To ensure only appropriate development takes place on the site.</p>                                   |

| No | Condition   | Reason  |
|----|---|---|
| H  | <p><b>Contamination</b><br/>           In the event that contamination is found at any time when carrying out the development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of the Local Planning Authority, and where remediation is necessary a remediation scheme must be prepared and submitted to the Local Planning Authority for its written approval. The remediation scheme shall thereafter be carried out in accordance with the approved scheme at the time of development. Following completion of measures identified in the approved remediation scheme a validation report must be prepared, and approved in writing of the Local Planning Authority.</p> | <p>To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.</p> |
| I  | <p><b>Time Limit</b><br/>           Where development has commenced and not completed after 3 years after the date of commencement, details, including site layout, building design, appearance, access arrangements and a programme of works will be submitted to the Local Planning Authority.</p>  | <p>To ensure the future development on the site is not prejudiced.</p>  |
| J  | <p><b>Appropriate Development</b><br/>           Any development shall proceed in such a way so as not to prejudice future development sites on the Queens Meadow Business Park, with specific regard to ensuring continued access onto the estate road serving the site.</p>   | <p>To ensure the future development on the site is not prejudiced.</p>  |

| No | Condition   | Reason  |
|----|---|---|
| K  | <p><b>Employment Charter</b><br/> A Targeted Training and Employment Charter will be agreed by the developer and the Borough Council before the development commences on site and be implemented and managed in accordance with the approved details.</p> | <p>To ensure all employment opportunities are explored.</p> |

## Appendix 1: Monitoring Framework (Period 2015 to 2018)

| No    | Indicator  | Review Trigger  | Further Action  |
|-------|--|---|---|
| (i)   | Annual number of businesses locating to the Business Park.                                       | <150 jobs created by 2018   | Possible review of the LDO to relax the general design guidance considerations to further incentivise businesses to locate. |
| (ii)  | Annual number of queries for businesses wanting to locate, that do not qualify through the LDO.  | Significant number of queries from non LDO land uses that are appropriate on the site.      | Possible review of the LDO to allow more/different the land uses other than those already identified.                       |
| (iii) | Annual number of developments considered to be unacceptable for design reasons.                  | Significant number of submissions<br>Consistent “problems” identified with each submission. | Possible review of the LDO to relax identified problems where appropriate.  |
| (iv)  | Annual number of developments considered to be Environmental Impact Assessment type development. | Significant number of submissions   | Possible review of LDO after an EIA is undertaken and an Environmental Statement considered based on submission trends.     |
| (v)   | Annual number of requests to change use class or land use within the same use class.             | Significant number of queries   | Possible review of the LDO to allow more/different the land uses other than those already identified.                       |