

## Local Development Order

### Small Scale Industrial Space Local Development Order (LDO) for B1 Uses

## STATEMENT OF REASONS

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### 1. Purpose of this document

The purpose of this document is to provide a formal Statement of Reasons for the Somerset West and Taunton Employment Local Development Order (LDO) for small scale industrial space.

### 2. Legislative background

This document satisfies requirements of Article 34(1) and (2) of the DMPO. Article 34(1) of the Town and Country Planning (Development Management Procedure) Order 2010 (DMPO) states that where a Local Planning Authority proposes to make a LDO they shall first prepare:

- a) a draft order; and
- b) a statement for their reasons for making the order.

Article 34(2) states that the 'statement of reasons' shall contain:

- a) a description of the development which the order would permit; and
- b) a plan or statement identifying the land to which the order would relate.

### 3. LDO Background

Somerset West and Taunton, and especially Taunton and Wellington, has experienced significant housing growth over the last few years. This growth trajectory is expected to continue as the remaining housing allocations set out in the Development Plan are built out. Employment development and the associated jobs have, however, not kept pace.

In 2018, Taunton Deane Borough Council adopted a new Local Development Order (LDO) for the Nexus 25 strategic employment site, which will see some of that balance redressed. This is set to be primarily through the provision of B1(a) Offices, B1(b) Research and Development and B1(c) Light Industry uses, with B2 General Industrial and B8 Distribution and Warehousing uses being secondary.

The Somerset West and Taunton Employment, Retail and Leisure Study completed later in 2018 identified latent demand for small flexible industrial units, with strongest demand for B1(c) uses. A lack of available, serviced plots and marginal viability issues make meeting demand difficult even in prime locations. De-risking the planning process and enabling easier development of such units could help realise this latent demand. The Taunton Deane Scrutiny Task and Finish Group reported to TDBC's Scrutiny Committee in November 2018 on the issue of affordable employment land and recommended that:

*"TDBC, and the subsequent Council, must identify the means by which the supply of affordable, starter-type employment units can be delivered. There are two suggested means by which this can be undertaken:  
i. Planning-based approaches boosted through allocation, a streamlined Local Development Order identifying suitable sites or, a more criteria-based Local Development Order that sets the broader locations and parameters subject to which starter units can be delivered..."*

#### **4. Framework of the LDO**

The LDO is made up of two separate documents, which together create a straightforward system for potential applicants to understand and interpret potential development opportunities. These documents are:

- i. The Local Development Order, which provides the purpose, procedure, context and legal conditions for all LDO development; and
- ii. The Design Code, which sets the acceptable parameters and principles for development to be evidenced within a compulsory Design and Access Statement submission.

In some circumstances, further technical evidence will be required in support of a compliance submission. Further information will be limited to:

- i. Highways and Access Requirements;
- ii. Flood Risk Assessment;
- iii. Ecological Assessment; and
- iv. Ground Contamination Assessment.

The Design Code is the principal mechanism for the consideration of LDO compliance. The Design Code provides the development parameters and general design principles which development proposals being delivered through this LDO will have to accord to. The Design Code includes a pro forma which enables LDO applicants to check their submissions against requirements.

Its purpose is to ensure that a high and consistent standard of design is delivered, and to provide sustainable and stimulating working environments whilst at the same time enabling the diverse requirements of individual occupiers to be met.

Development must accord with all aspects of the Design Code in order to benefit from the permitted development rights confirmed by the LDO.

## 5. Description of the development to be permitted

The LDO permits the following uses:

Use Class	Definition	Limitations
B1 (a)	Offices - other than those within class A2.	Up to 50 sqm net
B1 (b)	Research and development of products or processes	Up to 200 sqm net
B1 (c)	Light Industry – use for any industrial process which can be carried out in a residential area without causing detriment to the amenity of that area.	Up to 200 sqm net

The developments permitted by the Order must:

- i. Be located within a character area identified within the Design Code;
- ii. Be less than 1 hectare in size;
- iii. Have vehicle access to an A or B class road;
- iv. Have existing vehicular access of a width of at least 5 metres for a length of at least 6 metres; and
- v. Be in accordance with the design parameters of the LDO.

The Small Scale Industrial Space LDO covers the administrative boundary of Somerset West and Taunton Council, but does not apply to the following site locations:

- i. Within Taunton's adopted settlement boundary;
- ii. Within Wellingtons adopted settlement boundary;
- iii. Within a conservation area;
- iv. Within the curtilage of a Listed Building;
- v. Within an Area of Outstanding Natural Beauty;
- vi. Within a location judged as likely to affect environmental designations; and
- vii. Within a functioning flood plain (flood zone 3b).

## 6. Reasons and justification for making the Order

The reason for developing this Local Development Order (LDO) is to enable the delivery of small scale B1 development (office, research and light industrial space) by removing the need for a planning application to be made by the developer. This will de-risk the planning process for small and medium size enterprises and make the process of delivering small scale industrial space easier and faster across Somerset West and Taunton.

Supporting and enabling small flexible industrial units, through the LDO, will address the latent demand identified in the Somerset West and Taunton

Employment, Retail and Leisure Study (2018). This will also help to encourage the development of employment opportunities to support the significant housing growth across the council area.

Underpinning this LDO is also the need to encourage employment uses close to where people live. With this shift from a daily commuting pattern to working locally, the LDO hopes to have a positive impact on reducing traffic and promoting climate neutrality across the District.

## **7. Lifetime and monitoring of the LDO**

The LDO and the terms within it will be active for a period of 15 years following the day of its adoption and will expire following this period.

The LPA will review progress with the LDO on either the 2nd anniversary of its adoption; or at the point of 10 applications having been permitted (if sooner) to be able to fully reflect on the continual suitability of the LDO. The review will be completed within 28 days and at the end of the review the LPA will determine whether to:

- a) Retain the LDO as it stands for the remaining 13 years of its life or an otherwise specified review date;
- b) Retain but revise some elements of the LDO; or
- c) Revoke and cancel the LDO, thereby removing any unimplemented LDO permissions.