

CABINET

5 MARCH 2019

INNOVATION PARK MEDWAY LOCAL DEVELOPMENT ORDER – REQUEST TO CONSULT

Portfolio Holder:	Councillor Alan Jarrett, Leader Councillor Rodney Chambers OBE, Inward Investment, Strategic Regeneration and Partnerships Councillor Jane Chitty, Planning, Economic Growth and Regulation
Report from:	Richard Hicks, Director Regeneration, Culture, Environment and Transformation, and Deputy Chief Executive
Author:	Lucy Carpenter, Principal Regeneration Project Officer

Summary

This report seeks permission from Cabinet that the Draft Innovation Park Medway Local Development Order is consulted on. The Draft Innovation Park Medway Local Development Order builds upon the masterplan to set principles for development which will allow developers and businesses to bring forward high quality development in the high-value technology, engineering, manufacturing and knowledge-intensive sectors. Following public consultation the Local Development Order and supporting documents will be presented to Cabinet and Full Council for adoption.

1. Budget and Policy Framework

- 1.1 The Draft Innovation Park Medway Local Development Order has been prepared in accordance with the Town and Country Planning (Development Management Procedure) (DMP 2015). The Medway Local Plan 2003 is the current development plan for the authority and therefore forms part of the council's policy framework.
- 1.2 This report seeks permission to publicly consult on the draft Local Development Order (LDO), set out at Appendix A to the report, for a period of 30 days. As the site sits across the Local Authority Boundary, agreement to consult must also be sought from Tonbridge & Malling Borough Council on a separate LDO document for the site.

2. Background

- 2.1 The Rochester Airport masterplan (2014) has been reviewed and refreshed as part of the Innovation Park Medway masterplan (2019).
- 2.2 The 2019 masterplan outlines a scheme that will deliver a high quality innovation park, with flexible plots to encourage a wide range of high-value technology, engineering, manufacturing and knowledge-intensive businesses. Public consultation was undertaken on the draft masterplan and it is proposed that the final masterplan is adopted by Cabinet on 5 March 2019 (item 4 the agenda). The masterplan seeks to establish a clear policy context that sets parameters but allows for flexibility to support market interest and deliverability.
- 2.3 The site covers an area of land currently in use by Rochester Airport Ltd. The masterplan also covers land leased to BAE, and Woolmans Wood Caravan Site which is privately owned. A small part of the BAE-owned site is also included.
- 2.4 It is recommended that the preferred option for taking forward the masterplan is a Local Development Order (LDO). This allows plots to come forward with speed and ease for developers and/or businesses. An LDO also provides clarity and certainty for the potential occupants with regard to the expected quality of development. A Design Code, set out at Appendix 4 to Appendix A, supports the LDO, setting the key principles to which development on the site must adhere. Flexibility has been allowed for to ensure that this is not discouraging. Early feedback has suggested that a Design Code provides certainty for businesses as to the standard of surrounding plots, which gives confidence in the quality of the site.
- 2.5 EIA screening and scoping opinions have been undertaken and the development has been identified as requiring an Environmental Impact Assessment. An Environmental Statement will therefore support the LDO. A number of technical studies have been undertaken to support the masterplan and where appropriate these have been used to support the Environmental Statement. However, some additional studies were scoped into the EIA, which has required additional work to be undertaken. EIA scoping includes socio-economic impact, contamination, air quality, transport to name a few. Further work has been undertaken as a result of the scoping advice received.
- 2.6 In order to satisfy EIA requirements, it is recommended that the Cabinet agrees to delegate authority to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive in consultation with the Leader and Portfolio Holders for Inward Investment, Strategic Regeneration and Partnerships and Planning, Economic Growth and Regulation to finalise and approve the Environmental Statement for consultation. This will be resolved prior to public consultation to ensure that consultees have the full suite of documents. Additional work is not expected to change the content of the Draft Local Development Order or Design Code as conditions have been included in the LDO that address potential mitigation and/or remediation requirements. By undertaking investigation works at this stage, future occupants/developers will be more informed when taking forward development, reducing the upfront risk. The full results of any further

work required, incorporated into the Environmental Statement, will be available for Cabinet to review prior to the adoption of the LDO.

- 2.7 Pace of delivery is essential at Innovation Park Medway to realise the benefits of the North Kent Enterprise Zone. The five-year window runs until March 2022 and provides incentives to businesses locating on the site. The Local Development Order allows future occupants and developers to submit proposals through a self-certification form, verifying their proposals against the criteria set out in the Local Development Order and Design Code. The process will be limited to 28 days from validation to help provide a swift response and allow development to come forward in a short timeframe.
- 2.8 The anticipated programme for the masterplan is set out below;

Process	Date
Medway Council Cabinet decision to consult on the Local Development Order	5 March 2019
Tonbridge & Malling decision to consult on the Local Development Order	19 March 2019
Consultation	30 day period
Medway Council Cabinet decision to adopt the Local Development Order	July 2019
Medway Council Full Council decision to adopt the Local Development Order	July 2019
Tonbridge & Malling decision to adopt the Local Development Order	TBC (after July 2019)

3. Options

- 3.1 It is recommended that the Draft Innovation Park Medway Local Development Order is taken through a public consultation process. A Local Development Order is the appropriately identified planning mechanism to fast track development on the site and achieve a high quality result.
- 3.2 If the LDO is not consulted upon, it cannot be adopted. The alternative approach is to seek outline planning permission for the site; this would require further work and delay the programme for development, reducing the benefits realised through the Enterprise Zone window. This option is not recommended.

4. Advice and analysis

- 4.1 In order to meet the council's key objective of bringing forward regeneration at Rochester Airport through the development of Innovation Park Medway, consultation should be undertaken as soon as possible once the Environmental Statement is finalised. Tonbridge & Malling Borough Council must also agree to undertake public consultation.

- 4.2 The Design Code includes principles for sustainable development, high quality design and sympathetic design treatment for buildings facing the AONB and residential buildings on Chatham Maidstone Road (A229).
- 4.3 The report recommends delegated authority is given to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive, to approve any necessary minor amendments to the Draft LDO and Design Code, in consultation with the Leader and Portfolio Holders for Inward Investment, Strategic Regeneration and Partnerships and Planning, Economic Growth and Regulation. Delegated Authority is also sought as set out in section 2.6.
- 4.4 A Diversity Impact Assessment will be carried out during the consultation stage and will support the subsequent report to the Cabinet when a recommendation is made to adopt the final version of the LDO.

5. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Not proceeding to consultation or adoption	It is a strategic objective to bring forward Innovation Park Medway. Not consulting on the LDO means that there will not be a planning process in place for the site, risking the quality and type of development.	Consult and adopt the LDO	E1
Poor quality development	Without a formal adopted planning document, quality will not be assured on this high priority site.	The adoption of the masterplan and LDO establishes high quality parameters that must be adhered to.	D2
Tonbridge & Malling Borough Council do not agree to consult on the LDO.	Further discussion is taking place regarding EIA scoping; there is a risk that TMBC may not agree to consult on the LDO until further elements have been added to the Environmental Statement, delaying consultation.	Collaboration and engagement has taken place throughout the LDO development at both an officer and Member level. Officers continue to liaise with TMBC regarding EIA scoping; a delay to programme may mitigate their concerns whilst further studies are undertaken.	B2

Privately owned or leased land not coming forward in line with the strategic ambitions for IPM	Woolmans Wood and land leased to BAE are included in the masterplan, as these comprise part of the North Kent Enterprise Zone. If these are not developed in line with the ambitions for IPM the site will become disjointed and will not have a clear identity.	The LDO sets the framework through which the site can come forward. If development is not in line with the LDO schedules, permission will not be granted through the self-certification process. Approval would need to be sought through a traditional planning application route, although applications would not be in line with adopted masterplan guidance. Third parties are not tied to development, but any development that does come forward should be in line with the parameters in the masterplan and LDO.	D3
--	--	---	----

6. Consultation

- 6.1 The previous Rochester Airport masterplan (2014) was consulted on publicly, and this document has been used to inform the development of the Innovation Park Medway masterplan and subsequent Draft Local Development Order and supporting documents.
- 6.2 Public consultation on the Innovation Park Medway Draft Masterplan was undertaken over a six week period from 17 September to 29 October 2018.
- 6.3 Consultation is proposed for the Draft Local Development Order for a period of 30 days. This will follow the Statements of Community Involvement for both Medway Council and Tonbridge & Malling Borough Council.
- 6.4 Agreement to consult must be made by Tonbridge & Malling Borough Council before the consultation process can begin as the LDO, Design Code and Environmental Statement must align to ensure a cohesive approach to site development.

7. Financial implications

- 7.1 The LDO and supporting documents have been prepared within existing budgets, with funding from the SELEP Sector Support Fund (SSF) and match funding from Medway Council and Tonbridge & Malling Borough Council. If adopted there will be costs associated with delivering the proposals set out in the LDO; the first phase of works is to be funded through the Government's Local Growth Fund round 3 (£3.7m) from the South East Local Enterprise Partnership (SELEP). However, development of the site will generate income through sale or lease of the site and business rates receipts.

8. Legal implications

- 8.1 In order for the LDO to be adopted, the document must be publicly consulted upon for a minimum of 30 days, after being approved by Cabinet for consultation.

8.2 As the site crosses the boundary with Tonbridge & Malling Borough Council, a separate LDO must be adopted by each council. Each LDO will be similar in terms of ambitions and permitted development through the LDO, supported by a consistent design code and associated documents, but must be adopted by both Medway Council and Tonbridge & Malling Borough Council separately.

9. Recommendations

9.1 The Cabinet is asked to approve consultation on the draft Local Development Order (LDO) as set out in Appendix A to the report and in line with sections 3 and 6 of the report.

9.2 The Cabinet is asked to agree to delegate authority to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive in consultation with the Leader and Portfolio Holders for Inward Investment, Strategic Regeneration and Partnerships and Planning, Economic Growth and Regulation to finalise and approve the Environmental Statement prior to public consultation, as set out in paragraph 2.6 of the report, in the interest of satisfying Environmental Impact Assessment requirements.

9.3 The Cabinet is asked to agree to delegate authority the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive in consultation with the Leader and Portfolio Holders for Inward Investment, Strategic Regeneration and Partnerships and Planning, Economic Growth and Regulation to approve any necessary minor amendments to the draft LDO prior to public consultation for the purposes of presentation and improving clarity.

10. Suggested reasons for decisions

10.1 Public consultation on the LDO is necessary in order to adopt the LDO, allowing high quality development to come forward at Innovation Park Medway.

Lead officer contact

Lucy Carpenter, Principal Regeneration Project Officer, Gun Wharf,
lucy.carpenter@medway.gov.uk

Janet Elliott, Regeneration Programme Manager, Gun Wharf,
janet.elliott@medway.gov.uk

Appendices (Please refer to Supplementary Agenda No.1)

Appendix A - Draft Innovation Park Medway Local Development Order and Statement of Reasons

Background papers

Rochester Airport Masterplan 2014

https://www.medway.gov.uk/download/downloads/id/2225/rochester_airport_masterplan_-_january_2014.pdf

Medway Statement of Community Involvement 2014

<http://www.medway.gov.uk/planningandbuilding/planningpolicy/scicommunityinvolvement.aspx>

Tonbridge & Malling Statement of Community Involvement

https://www.tmbc.gov.uk/_data/assets/pdf_file/0008/173915/SCI_Final_Feb15.pdf