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**CENTRAL PARK ENTERPRISE ZONE  
ADOPTION OF LOCAL DEVELOPMENT ORDER**

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**Purpose of the Report**

1. To recommend that the Council adopt the Central Park Enterprise Zone Local Development Order for a three year period commencing 1<sup>st</sup> April 2012.

**Background**

2. At its meeting on 18 January 2012 the Planning Applications Committee considered and endorsed the draft Central Park Enterprise Zone Local Development Order (hereinafter referred to as the 'Order'. The report in question explained what a Local Development Order is, the justification for making this Order and the proposed development permitted through the Order. In essence Central Park has been identified as one of the 12 sites comprising the Tees Valley Enterprise Zone; as part of this initiative each site should offer financial incentives and simplified planning rules from 1<sup>st</sup> April 2012. It is intended that this Order will satisfy the requirement for the simplified planning rules on Central Park.
3. Powers to make the Order (including its adoption) were delegated from Full Council to the Planning Applications Committee however prior to adoption it was a requirement that that the Order be considered and endorsed by the Secretary of State.
4. The document has since been considered by Secretary of State and on 22<sup>nd</sup> February 2012 the Secretary of State confirmed that he did not wish to intervene in the making of the Order.

**Adoption of the Order**

5. In view of the above the Planning Applications Committee is now being requested to adopt the Order.

**Content of the Order**

6. In considering the adoption of this Order, Members must judge whether it is appropriate in terms of the development it will permit, its limitations, prior information requirements and the conditions attached to the Order.
7. There has been no significant change to the Order other than those identified and endorsed in the report considered on 18<sup>th</sup> January 2012 and other minor additions and amendments to add clarity to the Order; these do not change the meaning or operation of the proposed Order. It is considered that the Order and its Statement of Reasons are in a suitable form for adoption and implementation. The final version of the Order is attached in **Appendix 1**; the Statement of Reasons appears in **Appendix 2**.

8. The Order sets out in schedules the following:
- **Schedule 1** – The extent of the area the LDO applies to;
  - **Schedule 2** – The development authorised, definitions, limitations and a statement of development not authorised by the Order;
  - **Schedule 3** – The Prior Information requirements including the completion and submission of a pre-notification form, any details required through condition, an EIA Screening Request and depending on floor space generated, a Transport Statement or Transport Assessment; and
  - **Schedule 4** – The conditions attached to the Order and applicable to any development permitted by it.
9. The Order is accompanied by a Statement of Reasons which sets out the justification for making the Order. This will be published alongside the Order.

### **Central Park Masterplan**

10. Condition 19 of the Order requires conformity to the Central Park Masterplan. As this is a new document, outside the statutory development plan, and other non-statutory planning guidance/policy, it is important that Members are aware of the content of the Masterplan and its implications for development when approving the Order subject to this condition.

The refreshed Central Park Masterplan is nearing completion, and will be considered by Cabinet (as landowners and development partners in Central Park) in May. The Masterplan brief, which is the governing document for the Masterplan is attached in **Appendix 3**.

11. The Masterplan identifies design principles for different parts of Central Park that development permitted under the Order, must adhere to. These principles are set out below:
- (a) **Enterprise Zone Area 1** (Haughton Road) – An area that defines the Haughton Road Gateway to the north of the development and provides a strong visual link between the local centre and Haughton Road. This area can also accommodate offices above ground floor retail uses. Design principles for this area are:
    - (i) Dynamic Gateway with Haughton Road, including a Gateway building to mark entrance to site;
    - (ii) A community hub which includes to soft and hard landscaping elements to minimise visual impact of car parking; and
    - (iii) Must respond to the neighbouring College building.
  - (b) **Enterprise Zone Area 1** (to the south of the university) – Buildings must respond to the scale and massing of the neighbouring sports hall and nursery facility, as well as providing a strong interface and relationship for the proposed residential development within this area.
  - (c) **Enterprise Zone Area 2** – An area which provides a formal linear boulevard space within the heart of the commercial quarter which provides desire lines to the University and Station, in the short term via an ‘at grade access’ via Yarm Road and in the long term via a new bridge link over Yarm Road. Design principles for this area are:
    - (i) An urban edge that responds to the Yarm Road Gateway and its Gateway building;
    - (ii) A tree-lined boulevard;
    - (iii) Hard and soft landscaping features to provide a formal character;

- (iv) Bus pick up/drop-off point;
  - (v) Clear and legible route between the university and station.
12. The Masterplan identifies areas suitable for different types of development including those where there is more flexibility in relation to the land use and where for example either commercial or residential development may be acceptable.
  13. As Members will be aware the Order is focussed on promoting commercial development however it is important to note that it covers areas which are identified in the Masterplan as also suitable and indeed preferred for residential development. In such areas where either residential or commercial development may be acceptable but where residential development is the preferred use a developer could not rely on the Order to proceed and would therefore need to make an application for planning permission in the standard way.
  14. This is applicable to the area to the east of the University and College, with the exception of the local centre, which fronts Haughton Road, adjacent to the College.
  15. There is flexibility in use provided for the area to the south of the university, where the scale and massing of the potential development is provided but the use could be residential or commercial and so here the Order could be relied on.
  16. Area 2 of the Enterprise Zone, to the south of Central Park, is identified for commercial development, and the associated landscaping and public realm; no residential properties are located in this area. Again the Order could be relied on for this area.

### **Conclusion**

17. Central Park is Darlington's contribution to the Tees Valley Enterprise Zone. Sites comprising the Enterprise Zone will benefit from financial incentives and should be accompanied by appropriate simplified planning rules. It is considered that a Local Development Order was the most appropriate means by which to offer these simplified planning rules.
18. The Order has been prepared in line with regulations, including public consultation. Prior to submitting the Order to the Secretary of State for consideration, the Council amended the draft Order to incorporate the concerns and comments raised through this consultation process. The Secretary of State has now confirmed that he does not wish to intervene in the making of the Order.
19. The final Order and its statement of reasons are presented in this report for Planning Applications Committee to consider its suitability for adoption.

### **Recommendation**

20. It is recommended that the Members adopt the Central Park Local Development Order from 1<sup>st</sup> April 2012 for a three year period expiring on 31<sup>st</sup> March 2015.

**Richard Alty**  
**Director of Place**