

# **London Road North Local Development Order Statement of Reasons**

**Revised Version**

**Adopted January 2022**



**Purpose of this document**

The purpose of this document is to provide a formal Statement of Reasons for the London Road North Local Development Order (LDO).

The LDO has been made to support the objectives of the Harlow Enterprise Zone.

**Legislative background**

This document satisfies the 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.

## 1. Background

### Enterprise West Essex @ Harlow

1.1 In 2011 the Government announced that 22 Enterprise Zones would be set up across the country to stimulate economic growth and development. Enterprise zones would be located in areas with real potential to create new business and jobs and generate positive benefits across the wider economic area. The Core offer for enterprise zones is to provide:

- a radically simplified planning regime;
- business rate discounts; and
- superfast broadband.

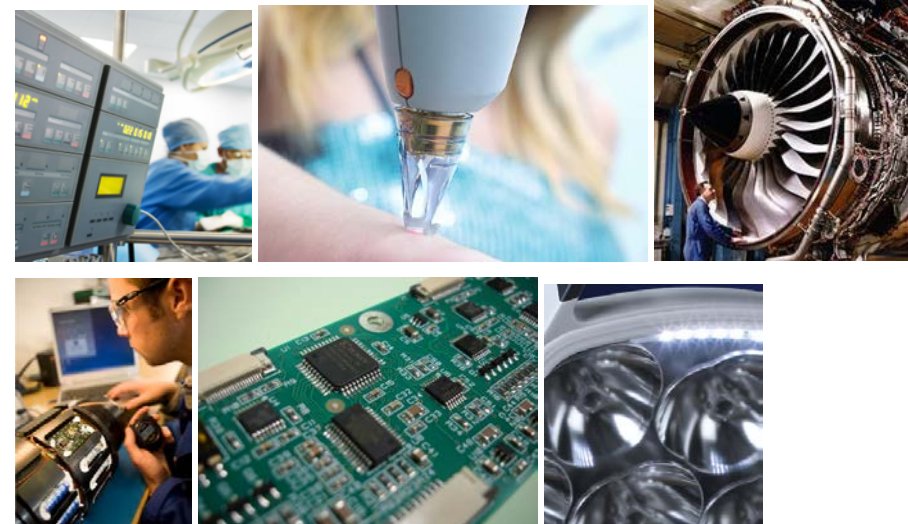
1.2 Harlow's bid for enterprise zone status was developed by Harlow Council in partnership with the West Essex Alliance and other key partners such as Essex County Council. The bid was promoted by the South East Local Enterprise Partnership (SELEP).

1.3 The SELEP covers the South East of England and is a private sector led economic body focused on promoting economic growth in the economic area (see map to the right).

### Sector focus

1.4 Enterprise West Essex @ Harlow is a sector-led Enterprise Zone is focused on Harlow and West Essex's economic strengths in:

- Health and Allied Industries (Medical Technologies);
- Advanced Manufacturing; and
- Information Communication Technology (ICT).



### Harlow's enterprise zone sites

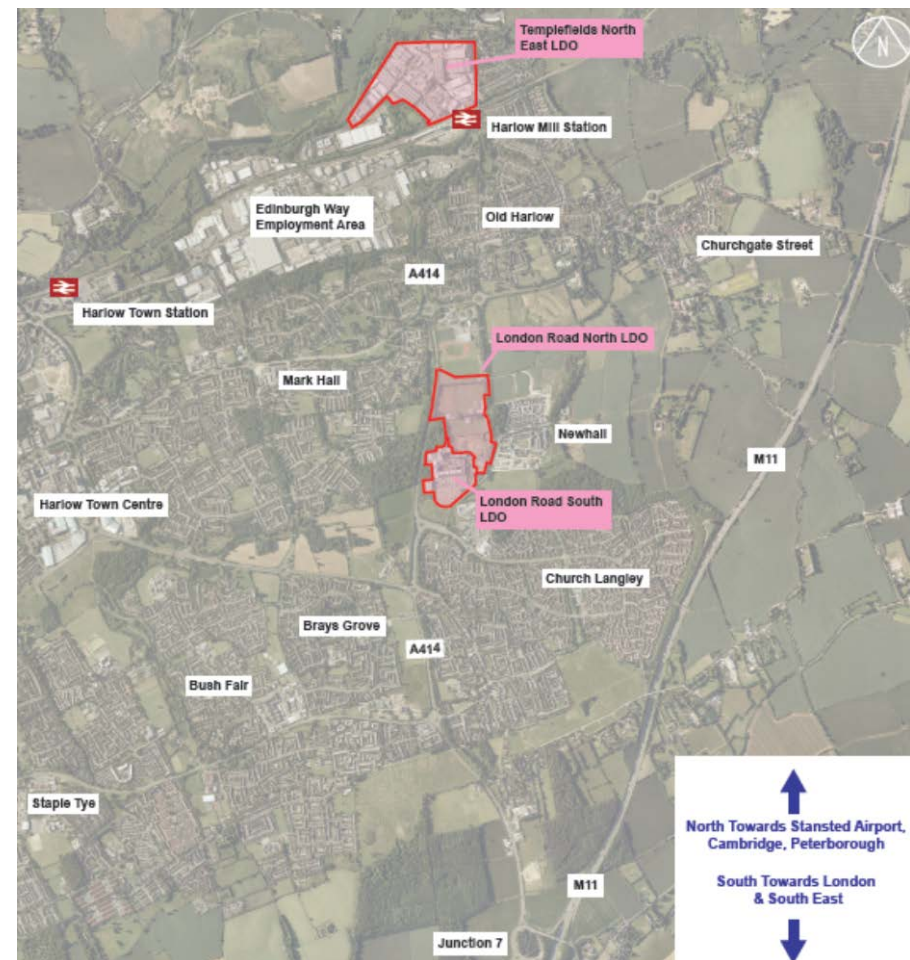
- 1.5 The Harlow enterprise zone is split across two separate locations, comprising a total of approximately 50 hectares of land on the eastern side of town.

### Land at London Road

- 1.6 Twenty four hectares of enterprise zone land is located between the A414 and London Road. Two separate LDOs operate at this location (see map right) and comprise:
- **London Road North** - A 15 hectare greenfield development site to the north the former Nortel Networks site; and
  - **London Road South** - A 9 hectare redevelopment site comprising the former Nortel Networks site.

### Templefields North East

- 1.7 The Templefields North East enterprise zone area is covered by a single LDO. The site comprises 28 hectares of previously developed employment land within the existing Templefields Employment Area and is located adjacent to Cambridge Road (A1184) and the River Stort. The LDO area contains a range of existing employment buildings along River Way and Temple Bank.



## 2. Introduction to the LDO

### Simplified planning requirement for the enterprise zone

- 2.1 A requirement of enterprise zone status is to put in place a genuinely simplified approach to planning on the Enterprise Zone sites to attract investment into the zones. The Government is promoting the use of LDOs to achieve this.

### What is a Local Development Order?

- 2.2 LDOs are an existing part of the planning system introduced through the Planning and Compulsory Purchase Act 2004. A LDO grants planning permission for specific types of development and can be made subject to conditions.
- 2.3 The purpose of an LDO is to speed up the development process by providing certainty about the specific types of development which are permitted in a defined area. LDOs are intended to stimulate investment in an area by reducing the potential and perceived risks and barriers associated with the formal planning process.



### Supporting technical assessments

- 2.4 The Council has completed a range of technical assessments to support the Local Development Order. These include:
- Transport Assessment
  - Framework Travel Plan
  - Flood Risk Assessment
  - Preliminary Land Contaminated Risk Assessment
  - Topographical Survey
  - Full British Standard Arboricultural Feasibility Study
  - Extended Phase 1 Survey Report
- 2.5 In addition to this, the Council has prepared the following:
- Habitats Regulation Assessment (HRA) Screening Assessment;
  - Strategic Environmental Assessment (SEA) Determination;
  - Environmental Impact Assessment (EIA) Screening Opinion.

### The Structure of the London Road North LDO

2.6 The London Road North Local Development Order is made up of the following components:

- The Order;
- The LDO Schedule and conditions; and
- Appendices A to I (including the London Road North Design Code).

### The Order

2.7 The Order sets out the relevant legal provisions under which the Local Planning Authority has made the Local Development Order. It outlines the timeframe of the Local Development Order and highlights a range of limitations which apply to the planning permissions granted in the LDO Schedule.

### The LDO Schedule and conditions

2.8 The LDO Schedule contains the specific classes of permitted development which are granted planning permission by the order. The range of development permitted by different classes contained in the LDO Schedule is described in more detail in section 3.

2.9 Planning conditions attached to the classes of permitted development are listed within each class of permitted development contained in the LDO Schedule.

### LDO Appendices

2.10 Appendices A to I of the LDO are key elements of the Local Development Order and work alongside the LDO Schedule to create the permitted development framework for the site. It is important for the LDO to be read as a whole and for interested

parties to read the LDO Schedule and conditions in conjunction with the LDO Appendices.

2.11 The majority of LDO appendices are maps which set out the requirements and scope of the permissions and conditions set out in the LDO Schedule. Appendix B sets out the range of economic activities to which specific classes of development contained in the LDO Schedule apply. Appendix E comprises the London Road North Design Code. A full list of LDO appendices is provided below:

- Appendix A – London Road North LDO Boundary Map
- Appendix B – Schedule of Permitted Economic Activities (Standards of Industrial Classification)
- Appendix C – London Road North Local Development Order Designations Map
- Appendix D – Road Infrastructure Permitted Under Schedule C
- Appendix E – London Road North Design Code
- Appendix F – Safeguarded Strategic Infrastructure
- Appendix G – Landownership Map (as of December 2017)
- Appendix H – Notional Development Parcels
- Appendix I – Application of Phasing Condition PDH2

### Informatives

2.12 The LDO also includes a number of guidance notes in the form of informatives which provide additional guidance on particular issues. Informatives are provided in accordance with paragraph 11 of Circular 11/95: Use of conditions in planning permission. Informatives should not be confused with the requirements in the LDO Schedule or conditions which set out the framework for LDO permitted development.

**The design code**

2.13 The requirements of this design code apply to the classes of permitted development contained in the London Road North LDO, where planning permission as stated in the LDO is conditional on development according with the requirements of the design code or, more specifically, with relevant chapters, tables or codes in the design code document.

**The purpose of the design code**

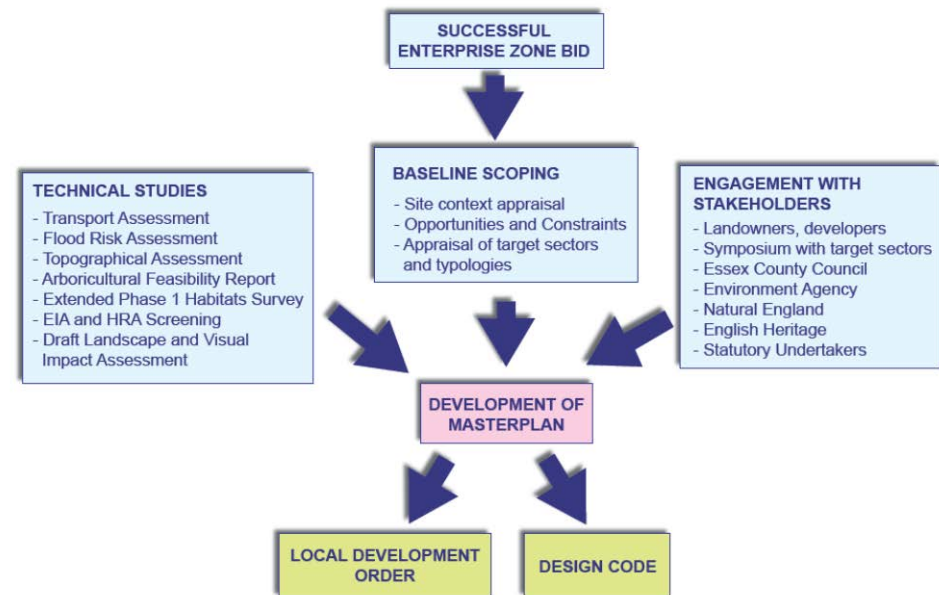
- 2.14 The purpose of the design code is:
- a) to clarify what constitutes acceptable design quality within the LDO area and therefore benefits from planning permission granted for the classes of development set out in the LDO;
  - b) to provide a flexible framework to enable and coordinate the delivery of the London Road North masterplan; and
  - c) to flesh out in more precise detail the standards for development which cannot be explained or illustrated in sufficient detail in the LDO.

**Development certainty**

2.15 The design code establishes a fast-track and certain process to obtaining planning permission through the LDO. It defines up front the design parameters and standards applied to LDO permitted development. The code is therefore a fundamental mechanism in the delivery of a radically simplified planning system for the London Road North enterprise zone area.

**Background to the LDO - the planning and design process**

- 2.16 The approach to developing the LDO and design code has been founded on a masterplanning and design-led approach. The Council has undertaken a masterplanning exercise. This comprised a detailed site context appraisal, an issues, constraints and opportunities mapping exercise. The outcome of this process was the establishment of set of development and urban design principles and a spatial vision for the site.
- 2.17 The London Road Masterplan does not form part of the LDO. It is the LDO and design code which set out the requirements for permitted development granted by the LDO. The preparation of the masterplan has informed the LDO and design code, alongside technical assessments and engagement with stakeholders as illustrated below:



**3. Description of the development to be permitted**

- 3.1 This section provides a summary of the development granted planning permission by the LDO.
- 3.2 Readers should note that this section does not provide a complete description of the development to be permitted. The Local Development Order, Schedule, conditions and appendices should be examined in full to determine the precise details and requirements associated with the classes of permitted development set out in the order.
- 3.3 Permitted development is set out in five separate Schedules of the LDO which cover the following forms of development:
- a) Building Development (Schedule A);
  - b) Extensions and Alterations (Schedule B);
  - c) Road Infrastructure (Schedule C);
  - d) Change of Use (Schedule D); and
  - e) Minor Operations (Schedule E).
- 3.4 The specific classes of permitted development contained in each schedule of the LDO is summarised over the following pages.

**Planning conditions**

- 3.5 Development permitted in Schedules A, B, C, D and E of the LDO is subject to a number of specific conditions as set out in the classes of permitted development. For further details of the specific conditions please refer to the London Road North LDO.

**Varying or removing LDO conditions**

- 3.6 There is a standard procedure for any applicant wishing to remove or vary a planning condition which is established in Section 73 of the Town and Country Planning Act 1990. A landowner or developer may also decide to submit a fresh planning under the provisions of the same Act.

**Limitations**

- 3.7 There are a range of limitations to the planning permissions set out in the LDO which are set out in paragraphs 1 to 18 of the order.

**The lifetime of the LDO**

- 3.8 This LDO takes effect on the date it is adopted and will lapse on 31 December 2034.
- 3.9 LDO development that has begun (as defined by Section 56 of the Town and Country Planning Act 1990) before the LDO expires will be permitted to be completed and operated in accordance with the requirements and conditions of the LDO.
- 3.10 Uses which have been developed and implemented under the provisions of the Order will be allowed to continue to operate following the expiry of the Order, provided these proposals are carried out in accordance with the relevant conditions set out in the LDO.



**Schedule A - Building Development**

3.11 The LDO permits a variety of classes of building development in Schedule A some of which are limited to ancillary uses. The predominant uses are still:

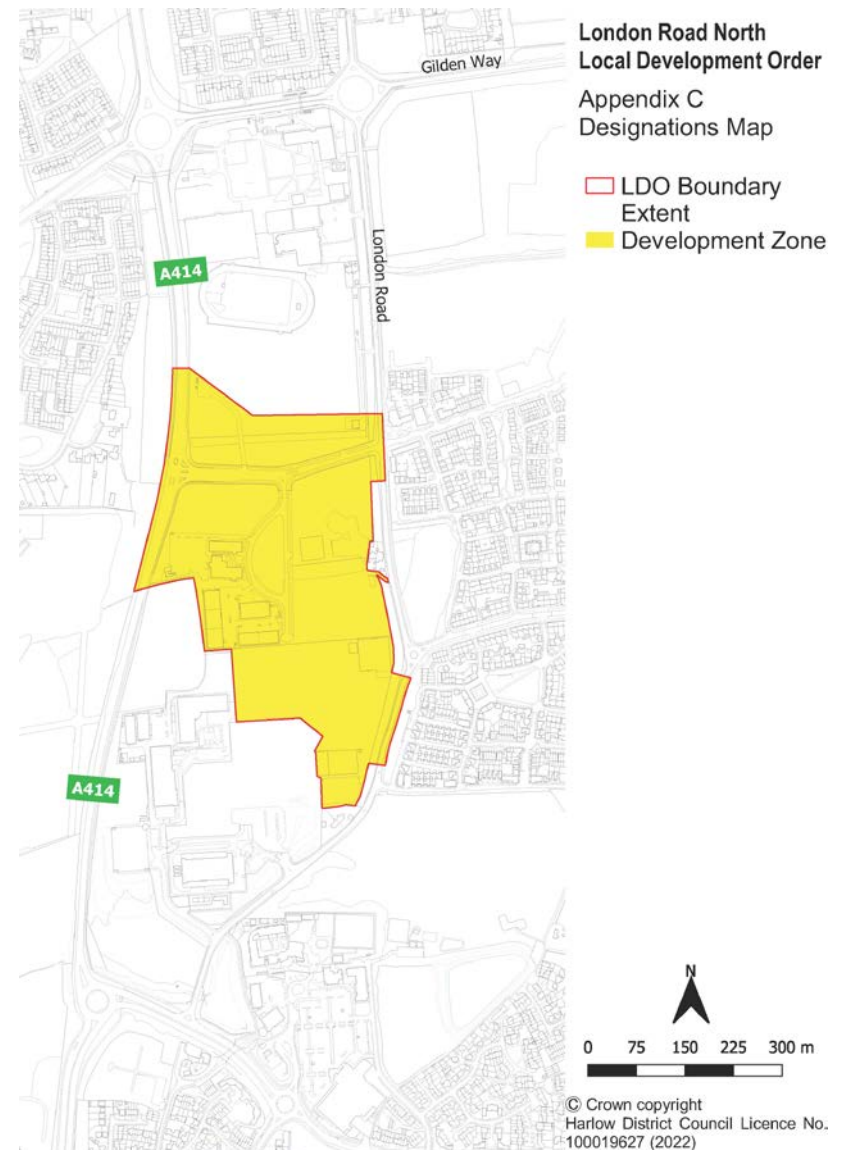
- the development of buildings for business (E(g)) and industrial (B2) uses.
- The provision of electricity substation buildings.

The LDO does permit other supporting activities with limitations including:

- E(a) (retail)
- E(c) (financial and professional services)
- E(b) (café/ restaurant)
- Hot food/takeaway;
- Conference facilities;
- Education and training;
- Crèche or nursery facilities; and
- Gymnasium / swimming pool uses.

3.12 E and Sui Generis uses permitted by Schedule A of the LDO are intended to support the employment activities within the LDO area. Consequently, these uses are strictly limited in size by reference to maximum individual and cumulative gross floor area thresholds in the LDO.

3.13 Schedule A of the LDO also permits site investigation, demolition, engineering operations, the provision of associated site infrastructure and facilities directly required by development permitted by Schedule A.



**Schedule B – Extensions and Alterations**

3.15 One class of development is permitted under Schedule B:

- **Class 1** permits the extension or alterations of buildings for E(g) and B2 uses.

3.16 Class 1 of Schedule B of the LDO also permits site investigation, demolition, engineering operations, the provision of associated site infrastructure and facilities directly required by development permitted by Class 1 of Schedule B.

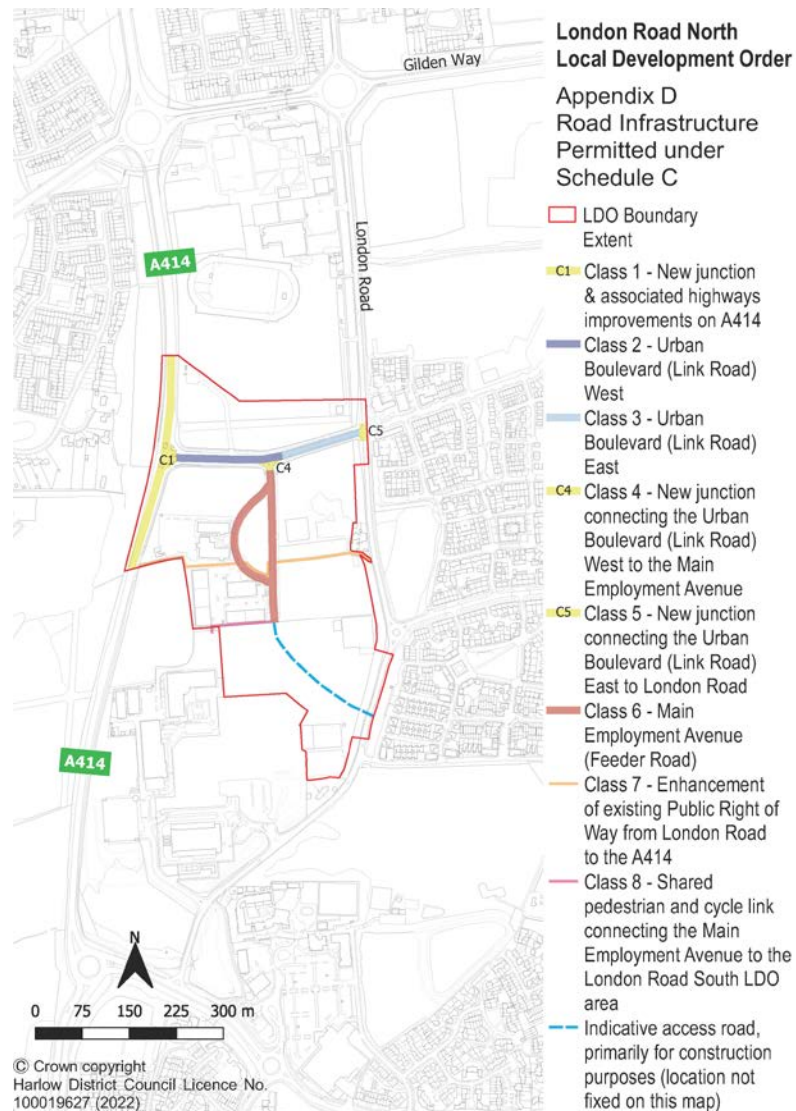
**Schedule C – Road Infrastructure**

3.17 Eight classes of development are permitted under Schedule C:

- **Class 1** permits the construction of a new signalised T-junction on the A414 together with associated highways improvements and landscaping along the A414
- **Class 2** permits the construction of an Urban Boulevard (Link Road) West to connect the new signalised T-junction on the A414 to a new junction to the Main Employment Avenue (Feeder Road)
- **Class 3** permits the construction of Urban Boulevard (Link Road) East to London Road.
- **Class 4** permits the construction of a new junction connecting the Urban Boulevard (Link Road) to the Main Employment Avenue
- **Class 5** permits the construction of a new junction connecting the Urban Boulevard (Link Road) East to London Road.

- **Class 6** permits the construction of a Main Employment Avenue (Feeder Road) to connect Urban Boulevard (Link Road) West and Urban Boulevard (Link Road) East.
- **Class 7** permits the enhancement of the existing Public Right of Way from its entrance into the London Road North at London Road to the A414 to adoptable shared pedestrian and cycle lane standard.
- **Class 8** permits the construction of a shared pedestrian and cycle link connecting the Main Employment Avenue (Feeder Road) to London Road South.

3.18 Highways works permitted under Schedule C of the LDO is shown in Appendix D of the LDO which is provided below:



### Schedule D – Change of Use

3.19 Class 1 (Schedule D) permits the following change of use:

- From E(g) to B2 and vice versa.
- From non-residential education/training facilities, conference facilities, creches/day nurseries, gyms or swimming pools permitted to E(g) use or B2 use, subject to conditions.
- From E(a) use permitted to E(c), E(b), hot food takeaways, E(g) or B2 use, subject to conditions.
- From E(c) use permitted to E(a), E(b), hot food takeaways, E(g) or B2 uses, subject to conditions.
- From E(b) use permitted E(a), E(c), hot food takeaways, E(g) or B2 use, subject to conditions.
- From hot food takeaways permitted to E(a), E(c), E(b), E(g) or B2 use, subject to conditions.

3.22 It is important to note that Schedule D contains a range of specific conditions which set out precisely what uses are permitted and establish individual and cumulative floorspace standards which are applied to mixed uses. This implements the same standards as those conditioned in Schedule A of the LDO.

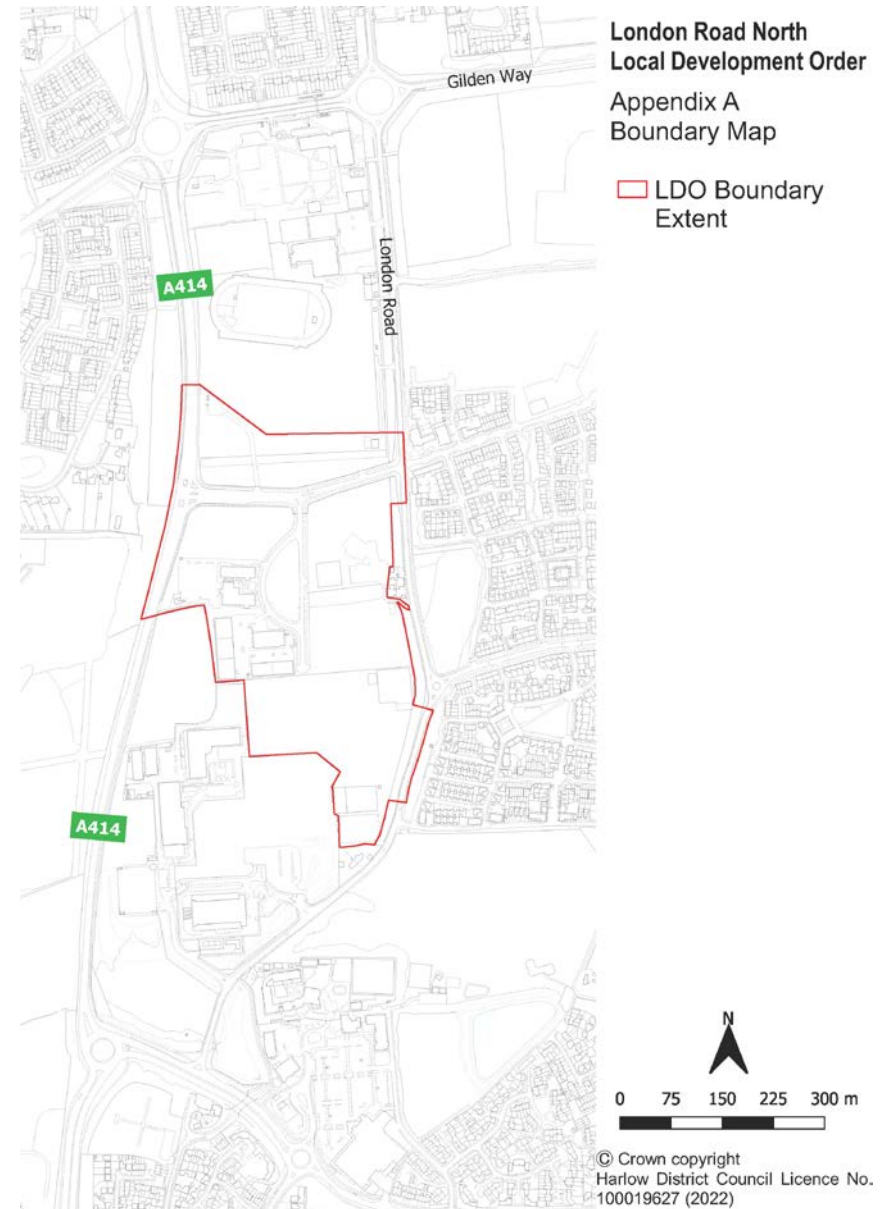
### Schedule E – Minor Operations

3.23 Two classes of development are permitted under Schedule E:

- **Class 1** permits the development of facilities for the storage of oils, fuels and chemicals.
- **Class 2** permits the erection, maintenance or alteration of a fence, gate, wall or other means of enclosure.

### Area covered by the LDO

3.24 The LDO applies only to the land at London Road, Harlow, Essex shown edged red on the Harlow London Road North Boundary Map which can be found to the right and in Appendix A of the LDO.



#### 4. Conclusion – Reasons for making the Order

4.1 In accordance with Article 34(1)(b) of The Town and Country Planning (Development Management Procedure) (England) Order 2010, Harlow District Council hereby outlines the following reasons for making the London Road North LDO:

- a) To ensure the delivery of the Enterprise West Essex @ Harlow Enterprise Zone by providing a planning and development framework to assist in delivering the aims and objectives of the original enterprise zone submission bid.
- b) To provide a genuinely simplified approach to planning - a requirement of enterprise zone status - as set out in the Government's Enterprise Zone Prospectus (CLG:2011:p.6-7).
- c) To stimulate economic growth within the target sectors - health and allied industries, advanced manufacturing and ICT. These sectors have been specifically identified because of their long history in the town and the prospects of these industries growing.
- d) To increase the provision of high skilled jobs in Harlow within employment sectors with the potential to grow and encourage associated economic benefits for the town.
- e) To stimulate investment, development and regeneration in Harlow.
- f) To enable the provision of critical highways infrastructure necessary to unlock the development of the London Road North site and assist in the delivery of housing at Newhall.
- g) To fast-track and provide preferential treatment to target sector development which is of a high quality of design.
- h) To provide certainty to landowners, developers, businesses about the type, use and form of development permitted in the enterprise zone and the conditions it is subject to.
- i) To provide certain to the Local Planning Authority, Local Highways Authority, local community and other stakeholders about the type, use and form of development permitted in the enterprise zone and the conditions it is subject to.
- j) To deliver a key aim of the South East Local Enterprise Partnership and assist in the economic growth of the area.
- k) To help deliver economic growth in the South East Economic Area and West Essex sub-region.
- l) To enable the delivery of the enterprise zone agenda – an important National Government priority as defined in the 2011 Budget.
- m) To assist in stimulating the recovery of the UK economy, particularly with respect to delivering new, high skilled jobs and facilitating export, innovation and knowledge intensive led growth by fast-tracking development within target sectors.