

APPENDIX A: SUMMARY of CHANGES

This document provides a summary of the main changes currently identified for the London Road North LDO and is not intended to be exhaustive. The LDO in its entirety will be updated to reflect the new Use Classes Order.

Interpretations and Definitions

This section would be amended through updates and new additions. The following are notable:

- A definition would be included to explain the extent of the “London Road South Local Development Order”
- “Associated Site Infrastructure and Facilities” would be updated to clarify that multiple ancillary features, such as internal access roads and gates, may be provided in connection with one of the main forms of development, rather than just one access road or gate, for example.
- A definition for “Buildings” would be included to clarify that development within the Development Zone (see changes to Schedule A below) can include the creation of mixed use buildings subject to specific criteria and not just buildings within a single use class
- The Main Employment Avenue will be redefined as extending only to the southern boundary of the land owned by Harlow Council. As currently drafted, the LDO prevents occupancy on certain parts until the whole of the Avenue has been built, which reduces flexibility. The associated Schedule C Class 7, therefore, will be deleted entirely
- Development Parcels F, G and H will be merged into a single parcel F, to reflect that these are all in one ownership.

Schedule A – Building Development

The current LDO sets out that new development can come forward within specific areas of the site - Development Zones A, B and C and the Newhall Approach Character Area. These area designations are shown at Appendix C of the current LDO.

Development Zone A is the largest area and is primarily intended to be the location for the majority of the employment development. Zone B relates to highways and landscaping areas at the boundaries of the site and does not provide for any development within it except for highway works and minor operations. Zone C is located within Zone A and has the primary purpose of providing a substation.

The Newhall Approach Character Area is located near to an access to Phase 2 of Newhall and, in addition to employment development, permits a wider range of uses than Zone A over a limited amount of floorspace, including conference, education and training facilities, creches or day nursery facilities, a gym/swimming pool and development within Use Classes E (was A1, A2, A3) and Sui Generis in respect of hot food take-away/pubs (was A4 and A5) (e.g. retail and cafes).

It is proposed that these area designations are consolidated to form a single “Development Zone” within which development may be located within the LDO.

This would enable the forms of development which can currently be provided in the specific area designations to be provided more flexibly across the wider site. This would also simplify the LDO and reduce repetition, as criteria are currently repeated for each area.

The Development Zone would not extend beyond the existing development boundaries, nor would it enable development on parts of the site which are currently protected from development.

The main effects of this to the LDO, and other proposed changes to Schedule A, are as follows:

- Class 2, which sets out the types and criteria for the construction of new buildings within the Newhall Approach Character Area, would be merged with Class 1, which relates to the construction of new buildings within Zone A. A new Class 1 would be created for the erection of new buildings in the Development Zone.
- The use and floorspace criteria for the non-employment uses within the Newhall Approach Character Area within Class 2 would be included in the new Class 1.
- The content of Condition 2.4g) within Class 2, which requires development within Classes E and Sui-Generis in respect of retail/eating (was A1 to A5) to front either the Urban Boulevard (Link Road) East or London Road, would be moved into the Design Code. (See Design Code section below.)
- Clarification has been added to confirm that only the uses specified as appropriate for the LDO within Use Classes E office (was B1) and B2 (set out at Condition G4 and Appendix B) are permissible.
- Class 3, relating to the construction of a substation would become Class 2.
- The new Class 2 would be modified to enable multiple, rather than a single, substation to be provided, and the substations would be able to be provided within the Development Zone, rather than current Development Zone C. Conditions relevant to this part would also be referenced explicitly.

Schedule B – Extensions or Alterations

The types of buildings which may be extended or altered under current Schedule B, Class 1 would be increased beyond just employment buildings to other uses proposed to be permitted within the Development Zone, subject to the floorspace criteria currently imposed for the Newhall Approach Character Area in current Schedule A, Class 2.

Include a provision for enabling the extension of buildings which are to be used for E Office/Research/Light industrial (was B1) or B2 purposes under the provisions of Schedule D (Change of Use) without first having to occupy the building for E Office/Research/Light industrial (was B1) or B2 purposes.

Schedule C – Road Infrastructure

The classes within this schedule currently relate directly to specific sections of the Design Code (e.g. Condition 2.2a of Class 2) requires development to be carried out in accordance with code C1 of the Design Code directly). It is proposed that direct references to specific sections of the Design Code are removed from the LDO and that these classes are instead linked to existing condition G2 which requires development subject to it to be in accordance with the provisions of the Design Code. (See Design Code section below.)

Class 7 will be deleted, as described above. The reference to a connection with London Road will be removed as this will no longer happen.

The existing Class 8 will be moved southwards to ensure it reflects where the footpath is actually located, thereby avoiding restricting development land.

Schedule D – Change of Use

As with Schedule A, the classes relating to development within Zone A and the Newhall Approach Character Area would be merged into a new Class 1. Clarification has been added to confirm that only the uses specified as appropriate for the LDO within Use Classes E Office/Research/Light industrial (was B1) and B2 (set out at Condition G4 and Appendix B) are permissible and Condition G4 added to new Class 1.

Added the ability to change use from the wider uses currently identified for the Newhall Approach Character Area to both E Office/Research/Light industrial (was B1) and B2 uses (currently only Office/Research/Light industrial).

Removed the ability to change use from E Office/Research/Light industrial (was B1) to any other uses except B2, to ensure that there is not an inappropriate mix of uses across the wider Development Zone.

Condition G2 is also required to be imposed to ensure that any means of enclosure are provided in accordance with the provisions of the Design Code. Direct references to specific sections of the Design Code will be removed. (See Design Code section below.)

Schedule E – Minor Operations

Condition G5 is required to be imposed under Class 1 and Class 2 to prevent facilities for the storage of oils, fuels and chemicals, and fences, gates, walls or other means of enclosure being located on land a safeguarded for strategic infrastructure without a scheme for alternative provision being approved.

Condition G2 is also required to be imposed under Class 2 to ensure that any means of enclosure are provided in accordance with the provisions of the Design Code. Direct references to specific sections of the Design Code will be removed. (See Design Code section below).

Design Code

In order to control the location and form of development within the LDO, particularly

for the new Development Zone for those uses which are currently permissible in the Newhall Approach Character Area, the associated Design Code would need to be updated and some information from the LDO (e.g. Condition 2.4g of Schedule A, Class 2 and Condition 2.2a of Schedule C, Class 2, as above) would be relocated to the Design Code.

This would ensure the delivery of good design across the site without being overly prescriptive and provide additional flexibility as the Design Code provides for deviations from the code to occur provided they are justified and deemed to be acceptable by the Local Planning Authority.

Conditions

The changes to the schedules of the LDO will require an update to many of the conditions. The precise wording of conditions is also proposed to be changed to make the conditions clearer. As discussed above, the parts of conditions requiring specific parts of the Design Code to be followed will be removed, as the schedules already require compliance with the Design Code where relevant under Condition G2. Notably, all of the conditions relating to extensions (EXT1 – EXT6) will be removed, as those conditions relate to design and layout matters or specific parts of the Design Code.

Condition G5 will be amended to refer to water infrastructure only, as the only safeguarded infrastructure now is the water pumping station.

Conditions G6 and G7 relating to the re-provision of the Maypole Sports and Social Club will be removed since the Club has closed since the LDO was first published. The re-provision of sports facilities has now been superseded by the provision of new facilities by Newhall Projects (the former owner of the land) as part of their S106 Agreement.

Most of the Phasing and Delivery of Highways Infrastructure conditions will be removed due to the completion of relevant highways works.

Extending the date of the LDO

The LDO, which currently expires in 2024, will be extended by a further 10 years and expire in 2034, to reflect the likely build out period of the whole site.