London Road North
Local Development Order

Adopted July 2014
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Section 61 A of The Town and Country Planning Act 1990

Harlow District Council

Harlow London Road North Local Development Order

1. This Local Development Order ("LDO") is made by the Harlow District Council ("the Council") under Section 61A (2) of the Town and Country Planning Act 1990 (as amended).

2. It applies only to the land at London Road North, Harlow, Essex shown more particularly edged red on the London Road North Local Development Order Boundary Map attached as Appendix A.

3. This LDO grants planning permission subject to conditions and limitations as set out in this Order and the LDO Schedule. Any development that does not comply with the conditions and limitations of this LDO will require planning permission. Unauthorised development will be liable to formal enforcement action.

4. This LDO takes effect on the date it is adopted by the Council and is limited to a ten year period following which the LDO shall lapse.

5. LDO development that has begun (as defined by Section 56 of the Town and Country Planning Act 1990 as amended) before the LDO expires will be permitted to be completed and operated in accordance with the conditions and limitations of the LDO.

6. 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 uses are carried out in accordance with the relevant conditions and limitations of the LDO.

7. No development is permitted in this Order for any EIA development EIA development is defined in Article 2 (1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as being either:

   a) Schedule 1 development; or
   b) Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its nature, size of location.

8. This Local Development Order provides a further layer of planning permissions in addition to planning permissions provided by The Town and Country Planning (General Permitted Development) Order 1995 (as amended), the Town and County Planning (Use Classes) Order 1987 (as amended) and planning permissions granted through the normal planning application process.

9. Nothing in this Order prevents the implementation of any planning permission granted by the Town and Country Planning General Permitted Development Order (GPDO) 1995 (as amended)

10. Nothing in this Order prevents the implementation of a change of use granted by the Town and County Planning (Use Classes) Order 1987 (as amended).
11. Nothing in this Order prevents the implementation of any planning permission granted or deemed to be granted under Part III of the Town and Country Planning Act 1990.

12. This Order does not remove or affect any existing planning condition that has already been imposed on the grant of any previous planning permission Under Section 73 of the Town & Country Planning Act 1990.

13. Any development carried out under the permissions indicated above (paras 9 to 12) will be subject to the conditions imposed by those permissions and would be unaffected by any condition within this Order.

14. Nothing in this Order gives consent (other than planning permission) for any activity or development that requires other authorisation (e.g. building regulations consent, European Protected Species License, hazardous substances consent, the need for an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2010, SuDS approval, consents for carrying out works within or stopping up the highway, any public path order required under Public Rights of Way Legislation, electronic communications licenses etc). Developments should satisfy themselves that they have obtained all appropriate other consents before proceeding with any planning permission granted by this Order.

15. Nothing in this Order shall apply to any permission which is deemed to be granted under Section 222 of the Town & Country Planning Act 1990 (advertisement consent not needed for advertisements complying with regulations).

16. Nothing in this Order provides planning permission for development that would be a Nationally Significant Infrastructure Project as defined in the Planning Act 2008.

17. Nothing in this Order provides planning permission for any development proposal which are ‘County Matters’ as defined in Schedule 1 of the Town and Country Planning Act 1990.

18. No development is permitted in this Order where development would comprise an offence under Regulation 41 or Regulation 45 of the Conservation of Habitats and Species Regulations 2010 (as amended) and where a license has not been granted by the relevant licensing body in accordance with Regulation 53 of the Conservation of Habitats and Species Regulations 2010 (as amended) and where the specific provisions of such a license have not been complied with.

The Common Seal of Harlow District Council was hereunto affixed on the 31 July 2014

In the presence of:

[Signature]

Duty Authorised Officer

23952
1.0 Interpretations and Definitions

1.1 For the purposes of the London Road North Local Development Order:

a) The “London Road North LDO area” is defined as the area comprised within the red edged boundary shown on the London Road North LDO Boundary Map attached as Appendix A.

b) The “Newhall Approach Character Area” is defined as the land labelled as the Newhall Approach Character Area and shaded in light blue on the London Road North Local Development Order Designations Map attached as Appendix C.

c) “Safeguarded Strategic Infrastructure” is defined as the land labelled as Safeguarded Strategic Infrastructure and shaded in orange on the map entitled Safeguarded Strategic Infrastructure attached as Appendix F.

d) “Zone A” is defined as the land labelled as Zone A and shaded yellow on the London Road North Local Development Order Designations Map attached as Appendix C.

e) “Zone B” is defined as the land labelled as Zone B and shaded in green on the London Road North Local Development Order Designations Map attached as Appendix C.

f) The “London Road North Design Code” is defined as the document attached as Appendix E.

g) Highways works permitted under Class 1 of Schedule C of the LDO are defined as the indicative highways works shaded in yellow and labelled “C1 - Class 1 - New junction and associated highways improvements on the A414” on the map entitled “Road Infrastructure Permitted Under Schedule C” attached as Appendix D.

h) Highways works permitted under Class 2 of Schedule C of the LDO are defined as the indicative highways works shaded in dark blue and labelled “Class 2 - Urban Boulevard (Link Road) West” on the map entitled “Road Infrastructure Permitted Under Schedule C” attached as Appendix D.

i) Highways works permitted under Class 3 of Schedule C of the LDO are defined as the indicative highways works shaded in light blue and labelled “Class 3 - Urban Boulevard (Link Road) East” on the map entitled “Road Infrastructure Permitted Under Schedule C” attached as Appendix D.

j) Highways works permitted under Class 4 of Schedule C of the LDO are defined as the indicative highways works shaded in yellow and labelled “C4 – Class 4 – New junction connecting the Urban Boulevard (Link Road) West to the Main Employment Avenue” on the map entitled “Road Infrastructure Permitted Under Schedule C” attached as Appendix D.

k) Highways works permitted under Class 5 of Schedule C of the LDO are defined as the indicative highways works shaded in yellow and labelled “C5 – Class 5 – New junction connecting the Urban Boulevard (Link Road) East to London Road” on the map entitled “Road Infrastructure Permitted Under Schedule C” attached as Appendix D.

l) Highways works permitted under Class 6 of Schedule C of the LDO are defined as the indicative highways works shaded in red and labelled “Class 6
m) Highways works permitted under Class 7 of Schedule C of the LDO are defined as the indicative highways works shaded in yellow and labelled “C7 – Class 7 – New junction connecting the Main Employment Avenue (Feeder Road) to London Road” on the map entitled “Road Infrastructure Permitted Under Schedule C” attached as Appendix D.

n) Highways works permitted under Class 8 of Schedule C of the LDO are defined as the indicative highways works shaded in green and labelled “Class 8 – Access Road provided adjacent to the existing Public Right of Way” on the map entitled “Road Infrastructure Permitted Under Schedule C” attached as Appendix D.

o) Highways works permitted under Class 9 of Schedule C of the LDO are defined as the indicative highways works shaded in orange and labelled “the enhancement of the existing Public Right of Way from London Road to the Main Employment Avenue (Feeder Road)” on the map entitled “Road Infrastructure Permitted Under Schedule C” attached as Appendix D.

p) Highways works permitted under Class 10 of Schedule C of the LDO are defined as the indicative highways works shaded in light blue and labelled “shared pedestrian and cycle link connecting the Main Employment Avenue to the London Road South LDO area” on the map entitled “Road Infrastructure Permitted Under Schedule C” attached as Appendix D.

q) “Associated site infrastructure and facilities” is defined as comprising:
   i. the provision of a junction access onto the highway;
   ii. the provision of an internal private slip road along a development frontage;
   iii. the provision of an internal access road to provide vehicular access to development sites only from the road infrastructure defined in paragraphs 1.1, h), i), l) and n) of the LDO.
   iv. the provision of hard standing areas required for vehicle parking bays, disabled parking bays, turning and circulation areas, designated loading and service bays and pedestrian circulation;
   v. the erection of a gate, fence, wall or other means of enclosure;
   vi. traffic signals, security buildings, bicycle shelters, motorbike shelters, bollards, lamp standards, telephone boxes, post boxes, refuse bins or baskets, waste recycling facilities, facilities for fire fighting or other emergency services, outdoor staff rest areas and smoking shelters.
   vii. the provision of any Sustainable Urban Drainage (SUDs) features including swales, filter strips, soakaways, green roofs, bioretention areas, infiltration and detention basins, ponds, wetlands;
   viii. trees, hedges, vegetation and other areas of soft landscaping;
   ix. electricity sub stations and associated electric lines, broadband connection, electric vehicle recharging points; and
   x. CCTV security cameras.
r) “Development parcel A” comprises land within Zone A and the Newhall Approach Character Area which is bounded:
   i. to the north by the London Road North LDO boundary with Mark Hall School;
   ii. to the east by London Road;
   iii. to the south by the Urban Boulevard (Link Road) West as defined in paragraph 1.1, h) of the LDO and shown on Appendix D and the Urban Boulevard (Link Road) East as defined in paragraph 1.1, i) of the LDO and shown on Appendix D; and
   iv. to the west by the A414.

s) “Development parcel B” comprises land within Zone A which is bounded:
   i. to the north by the Urban Boulevard (Link Road) West as defined in paragraph 1.1, h) of the LDO and shown on Appendix D;
   ii. to the east by the Main Employment Avenue (Feeder Road) as defined in paragraph 1.1, l) of the LDO and shown on Appendix D;
   iii. to the south by the existing Public Right of Way; and
   iv. to the west by the A414.

t) “Development parcel C” comprises land within Zone A and the Newhall Approach Character Area which is bounded:
   i. to the north by the Urban Boulevard (Link Road) East as defined in paragraph 1.1, i) of the LDO and shown on Appendix D;
   ii. to the east by London Road and by the London Road North LDO boundary;
   iii. to the south by the existing Public Right of Way; and
   iv. to the west by the Main Employment Avenue (Feeder Road) as defined in paragraph 1.1, l) of the LDO and shown on Appendix D.

u) “Development parcel D” comprises land within Zone A which is bounded:
   i. to the north by the existing Public Right of Way;
   ii. to the east by the Main Employment Avenue (Feeder Road) as defined in paragraph 1.1, l) of the LDO and shown on Appendix D;
   iii. to the south by land shaded light blue and shown to be in the ownership of PowerRapid Harlow No. 1 Ltd on Appendix G and by the LDO boundary with London Road South LDO; and
   iv. to the west by the London Road North LDO boundary with Markhall Wood.

v) “Development Parcel E” comprises land within Zone A which is bounded:
   i. to the north by the existing Public Right of Way;
   ii. to the east by the London Road North LDO boundary;
iii. to the south by land shaded light blue and shown to be in the ownership of PowerRapid Harlow No. 1 Ltd on Appendix G; and
iv. to the west by the Main Employment Avenue (Feeder Road) as defined in paragraph 1.1, l) of the LDO and shown on Appendix D.

w) “Development parcels F and H” comprises land within Zone A which is bounded:
   i. to the north by land shaded green and shown to be in the ownership of Newhall Projects Ltd on Appendix G;
   ii. to the east by the Main Employment Avenue (Feeder Road) as defined in paragraph 1.1, l) of the LDO and shown on Appendix D;
   iii. to the south by the London Road North LDO boundary with London Road South LDO area and Maypole Cottages; and
   iv. to the west by the Main Employment Avenue (Feeder Road) as defined in paragraph 1.1, l) of the LDO and shown on Appendix D.

x) “Development parcel G” comprises land within Zone A which is bounded:
   i. to the north by land shaded green and shown to be in the ownership of Newhall Projects Ltd on Appendix G;
   ii. to the east by the London Road North LDO boundary;
   iii. to the south by the Main Employment Avenue (Feeder Road) as defined in paragraph 1.1, l) of the LDO and shown on Appendix D; and
   iv. to the west by the Main Employment Avenue (Feeder Road) as defined in paragraph 1.1, l) of the LDO and shown on Appendix D.

y) Notional development parcels are illustrated on Appendix I to assist with the interpretation of the definitions provided in paragraphs r to x of Section 1.1.

z) “Gross Floor Area” is defined as the total covered floor area inside a building envelope, including the external walls of a building.

aa) “Development” has the same meaning as defined in Section 55 of the Town and Country Planning Act 1990 (as amended).

bb) The time when development has “begun” has the same meaning as defined by Section 56 of the Town and Country Planning Act 1990 (as amended).

c) “Industrial process” referred to in condition E10 has the same meaning as that defined in Article 1(2) of the General Permitted Development Order 1995 (as amended).

d) “Zone C” is defined as the land labeled as Zone C and hatched purple on the London Road North Local Development Order Designations Map attached as Appendix C.
OPERATIONAL DEVELOPMENT

SCHEDULE A – BUILDING DEVELOPMENT

Class 1 – Office, research and development, light industrial and industrial development

Development Permitted:

1.1 Within Zone A, the erection of buildings for:
   a) B1(a) office;
   b) B1(b) research and development;
   c) B1(c) light industry; and
   d) B2 general industrial uses.

1.2 Within Zone A, site investigation, demolition and engineering operations directly required by development permitted by Class 1.1 of Schedule A.

1.3 Within Zone A, the provision of associated site infrastructure and facilities directly required by development permitted under Class 1.1 of Schedule A.

Conditions:

1.4 Planning permission is provided under Class 1 of Schedule A subject to the following conditions:
   a) General conditions G1 to G9.
   b) Highways conditions H1 to H9.
   c) Phasing and delivery of highways infrastructure conditions PDH1 to PDH11.
   d) Parking, loading and refuse conditions P1 to P4.
   e) Environmental conditions E1 to E11.
   f) Archaeology conditions A1 to A4.
Class 2 - Mixed use office and research and development buildings within the Newhall Approach Character Area

Development Permitted:

2.1 Within the Newhall Approach Character Area, the erection of buildings for:
   a) B1(a) office;
   b) B1(b) research and development;
   c) B1(c) light industry;
   d) D1 conference facilities;
   e) D1 education and training facilities;
   f) D1 creches or day nursery facilities;
   g) D2 gymnasium/ swimming pool;
   h) A1 retail;
   i) A2 financial and professional services;
   j) A3 café/restaurant; and
   k) A5 hot food / takeaway uses.

2.2 Within the Newhall Approach Character Area, site investigation, demolition and engineering operations directly required by development permitted by Class 2.1 of Schedule A.

2.3 Within the Newhall Approach Character Area, the provision of associated site infrastructure and facilities directly required by development permitted under Class 2.1 of Schedule A.

Conditions:

2.4 Planning permission is provided under Class 2 of Schedule A subject to the following conditions:
   a) General conditions G1 to G9.
   b) Highways conditions H1 to H9.
   c) Phasing and delivery of highways infrastructure conditions PDH2 and PDH5.
   d) Parking, loading and refuse conditions P1 to P4.
   e) Environmental conditions E1 to E11.
   f) Archaeology conditions A1 to A4
   g) A1, A2, A3 or A5 uses within the Newhall Approach Character Area must front either the Urban Boulevard (Link Road) East as defined in paragraph 1.1, i) and Appendix D of the LDO or London Road.
   h) A1, A2, A3 or A5 uses within the Newhall Approach Character Area shall only be provided on the ground floor of buildings.
   i) Individual A1, A2, A3 and A5 units within the Newhall Approach Character Area shall comprise a gross floor area no greater than 250 square metres.
j) The cumulative total of all A1, A2, A3 or A5 uses within the Newhall Approach Character Area shall not exceed 1,000 square metres of gross floor area in aggregate.

k) The cumulative total of all A1 uses within the Newhall Approach Character Area shall not exceed 400 square metres of gross floor area in aggregate.

l) The cumulative total of all A2 uses within the Newhall Approach Character Area shall not exceed 400 square metres of gross floor area in aggregate.

m) The cumulative total of all A3 uses within the Newhall Approach Character Area shall not exceed 400 square metres of gross floor area in aggregate.

n) The cumulative total of all A5 uses within the Newhall Approach Character Area shall not exceed 400 square metres of gross floor area in aggregate.

o) Individual D1 conference facilities shall comprise a gross floor area no greater than 750 square metres.

p) The cumulative total of all D1 conference facility uses within the Newhall Approach Character Area shall comprise gross floor area no greater than 750 square metres of gross floor area in aggregate.

q) Individual D1 training centres within the Newhall Approach Character Area shall comprise a gross floor area no greater than 750 square metres.

r) The cumulative total of all D1 training centre uses within the Newhall Approach Character Area shall comprise gross floor area no greater than 750 square metres of gross floor area in aggregate.

s) Individual D1 creches or day nursery facilities within the Newhall Approach Character Area shall comprise gross floor area no greater than 750 square metres.

t) The cumulative total of all D1 creches or day nursery facility uses within the Newhall Approach Character Area shall comprise gross floor area no greater than 750 square metres of gross floor area in aggregate.

u) Individual D2 gymnasium / swimming pool facilities within the Newhall Approach Character Area shall comprise gross floor area no greater than 1,200 square metres.

v) The cumulative total of all D2 gymnasium / swimming pool facilities within the Newhall Approach Character Area shall comprise gross floor area no greater than 1,200 square metres of gross floor area in aggregate.
**Class 3 – Primary Substation**

**Development Permitted:**

3.1 Within Zone C, the construction of an electricity substation buildings.

3.2 Within Zone C, site investigation, demolition, engineering operations and the provision of security fencing and hard and soft landscaping directly required by development permitted by Class 3.1 of Schedule A.

**Conditions:**

3.3 Planning permission is provided under Class 3 of Schedule A subject to the following conditions:

a) General Condition G1

b) Environmental Conditions E1, E2 and E3.

c) Substation buildings erected under Class 3 of Schedule A shall not exceed 5 metres in height.

d) Fencing erected within Zone C under Class 3 of Schedule A shall not exceed 2.4 metres in height, subject to condition e.

e) Where fencing is erected within Zone C under Class 3 of Schedule A and would lie adjacent to a public right of way it shall not exceed 2 metres in height.
SCHEDULE B – EXTENSIONS OR ALTERATIONS

Class 1 - Extensions or alterations of office, research and development and industrial buildings

Development Permitted:

1.1 Within Zone A and the Newhall Approach Character Area, the extension or alteration of buildings in B1 and B2 uses for B1 and B2 uses.

1.2 Within Zone A and the Newhall Approach Character Area, site investigation, demolition and engineering operations directly required by development permitted by class 1.1 of Schedule B.

1.3 Within Zone A and the Newhall Approach Character Area, the provision of associated site infrastructure and facilities directly required by development permitted under Class 1.1 of Schedule B.

Conditions:

1.4 Planning permission is provided under Class 1 of Schedule B subject to the following conditions:
   
a) Extensions conditions EXT1 to EXT6.
   b) General conditions G1, G3, G4, G5, G6, G7, G8 and G9.
   c) Parking, loading and refuse conditions P1 to P4.
   d) Environmental conditions E1, E9, E10, and E11.
   e) Archaeology conditions A1 to A4
SCHEDULE C – ROAD INFRASTRUCTURE

Class 1 – New junction and associated highways improvements on the A414

Development Permitted:

1.1 The construction of a new signalised T-junction on the A414 together with associated highways improvements and landscaping along the A414.

Conditions:

1.2 Planning permission is provided under Class 1 of Schedule C subject to the following conditions:
   a) The location of any junction shall be in conformity with design code C1 in chapter 8 of the London Road North Design Code.
   b) General Conditions: G1, G3 and G5.
   c) Highways conditions H1 and H5.
   d) Environmental Conditions: E1, E3 and E8.
   e) Archaeology conditions A1 to A4.

Class 2 – Urban Boulevard (Link Road) West

Development Permitted:

2.1 The construction of the Urban Boulevard (Link Road) West to connect a new signalised T-junction on the A414 to a new junction to the Main Employment Avenue (Feeder Road).

Conditions:

2.2 Planning permission is provided under Class 2 of Schedule C subject to the following conditions:
   a) All highways works will be in conformity with the parameters set out in Table 5B of chapter 5 of the London Road North Design Code and design code M1 of chapter 8 of the London Road North Design Code.
   b) General Conditions: G1, G3, G5, G6 and G7.
   c) Highways conditions H1 and H5.
   d) Environmental Conditions: E1, E3 and E8.
   e) Archaeology conditions A1 to A4.

Class 3 – Urban Boulevard (Link Road) East

Development Permitted:

3.1 The construction of the Urban Boulevard (Link Road) to connect Urban Boulevard (Link Road) West to London Road.

Conditions:
3.2 Planning permission is provided under Class 3 of Schedule C subject to the following conditions:
   a) All highways works will be in conformity with the parameters set out in Table 5C of chapter 5 of the London Road North Design Code and design code M1 of chapter 8 of the London Road North Design Code.
   b) General Conditions: G1, G3, G5, G6 and G7.
   c) Highways conditions H1 and H5.
   d) Environmental Conditions: E1, E3 and E8.
   e) Archaeology conditions A1 to A4.

Class 4 - New junction connecting the Urban Boulevard (Link Road) West to the Main Employment Avenue (Feeder Road)

Permitted Development:

4.1 The construction of a new junction connecting the Urban Boulevard (Link Road) West to a Main Employment Avenue (Feeder Road).

Conditions:

4.2 Planning permission is provided under Class 4 of Schedule C subject to the following conditions:
   a) The location of any junction shall be in conformity with the parameters set out in design code C4 of chapter 8 of the London Road North Design Code.
   b) General Conditions: G1, G3, G6 and G7.
   c) Highways conditions H1 and H5.
   d) Environmental Conditions: E3 and E8.
   e) Archaeology conditions A1 to A4.

Class 5 - New junction connecting the Urban Boulevard (Link Road) East to London Road

Permitted Development:

5.1 The construction of a new junction connecting the Urban Boulevard (Link Road) East to a London Road.

Conditions:

5.2 Planning permission is provided under Class 5 of Schedule C subject to the following conditions:
   a) The location of any junction shall be in conformity with the parameters set out in design code C5 of chapter 8 of the London Road North Design Code.
   b) General Conditions: G1, G3, G5, G6 and G7.
   c) Highways conditions H1 and H5.
d) Environmental Conditions: E1, E3 and E8.
e) Archaeology conditions A1 to A4.

Class 6 – Main Employment Avenue (Feeder Road)

Permitted Development:

6.1 The construction of a Main Employment Avenue (Feeder Road) to connect the Urban Boulevard (Link Road) with London Road.

Conditions:

6.2 Planning permission is provided under Class 6 of Schedule C subject to the following conditions:

a) All highways works will be in conformity with the parameters set out in Table 5D of chapter 5 of the London Road North Design Code and design code M2 of chapter 8 of the London Road North Design Code.

b) General Conditions: G1, G3, G6 and G7.

c) Highways conditions H1 and H5.

d) Environmental Conditions: E1, E3 and E8.

e) Archaeology conditions A1 to A4.

Class 7 – New junction connecting the Main Employment Avenue (Feeder Road) to London Road

Permitted Development:

7.1 The construction of a new junction connecting the Main Employment Avenue (Feeder Road) to London Road.

Conditions:

7.2 Planning permission is provided under Class 7 of Schedule C subject to the following conditions:

a) The location of any junction shall be in conformity with the parameters set out in set out in design code C7 of chapter 8 of the London Road North Design Code.

b) General Conditions: G1 and G3.

c) Highways conditions H1 and H5.

d) Environmental Conditions: E1, E3 and E8.

e) Archaeology conditions A1 to A4.

Class 8 - Access Road provided adjacent to the existing Public Right of Way

Permitted Development:
8.1 The construction of new Access Road along or parallel to the alignment of the existing Public Right of Way west of the Main Employment Avenue (Feeder Road).

Conditions:

8.2 Planning permission is provided under Class 8 of Schedule C subject to the following conditions:

   a) All highways works will be in conformity with the parameters set out in table 5E of chapters 5 of the London Road North Design Code and design code M3 of chapter 8 of the London Road North Design Code.

   b) General Conditions: G1, G3 and G7.

   c) Highways conditions H1 and H5.

   d) Environmental Conditions: E1, E3 and E8.

   e) Archaeology conditions A1 to A4.

Class 9 – The enhancement of the existing Public Right of Way from London Road to the Main Employment Avenue (Feeder Road)

Permitted Development:

9.1 The enhancement of the existing Public Right of Way from its entrance into the LDO area at London Road to the Main Employment Avenue (Feeder Road) to adoptable shared pedestrian and cycle lane standard.

Conditions:

9.2 Planning permission is provided under Class 9 of Schedule C subject to the following conditions:

   a) All highways works will be in conformity with the parameters set out in table 5F of chapter 5 of the London Road North Design Code.

   b) General Conditions: G1, G3 and G7.

   c) Highways conditions H1 and H5.

   d) Environmental Conditions: E1.

Class 10 – Shared pedestrian and cycle link connecting the Main Employment Avenue (Feeder Road) to the London Road South LDO area.

Development Permitted:

10.1 The construction of a shared pedestrian and cycle link connecting Main Employment Avenue (Feeder Road) to the London Road South LDO area.

Conditions:

10.2 Planning permission is provided under Class 10 of Schedule C subject to the following conditions:

   a) All highways works will be in conformity with the parameters set out in table 5G of chapter 5 of the London Road North Design Code.

   b) General Conditions: G1 and G3.
c) Highways conditions H1 and H5.
d) Environmental Conditions: E1.

Class 11 - The enhancement of the existing Public Right of Way from the A414 to the Main Employment Avenue (Feeder Road)

Permitted Development:

11.1 The enhancement of the existing Public Right of Way from its entrance into the LDO area on the A414 to the Main Employment Avenue (Feeder Road) to adoptable standard.

Conditions:

11.2 Planning permission is provided under Class 11 of Schedule C subject to the following conditions:

a) Development under class 11 of Schedule C may only be undertaken where development permitted by Class 8 of Schedule C has not been undertaken.

b) All highways works will be in conformity with table 5F of chapter 5 of the London Road North Design Code.

c) General Conditions: G1 and G3.

d) Highways conditions H1 and H5.

e) Environmental Conditions: E1.
SCHEDULE D - CHANGE OF USE

Class 1 - Permitted change of use within Zone A

Permitted Development:

1.1 Within Zone A, development consisting of a change of use of a building:
   a) from B1 business use to B2 general industrial use; and
   b) from B2 general industrial use to B1 business use.

Conditions:

1.2 Planning permission is provided under Class 1 of Schedule D subject to the following conditions:
   a) No building shall be used for a B1 or B2 use other than a use falling within the schedule of uses contained in Appendix B to this Schedule.
   b) General condition G1.
   c) Highways condition H9 (Travel Plans)
   d) EXT5 - Highways works associated with extensions, alterations and change of use
   e) Parking, loading and refuse condition P1.
   f) Environmental condition E10.

Class 2 - Permitted change of use within the Newhall Approach Character Area

Permitted Development:

2.1 Within the Newhall Approach Character Area, development consisting of a change of use of a building:
   a) from D1 education and training facilities to any B1 use;
   b) from D1 conference facilities to any B1 use;
   c) from D1 creches or day nursery facilities to any B1 use;
   d) from D2 gymnasium/swimming pool use to any B1 use;
   e) from A1 retail to any B1, A2, A3, or A5 use;
   f) from A2 financial and professional services use to any B1, A1, A3 or A5 use;
   g) from A3 café/restaurant uses to any B1, A1, A2 or A5 use;
   h) from A5 hot food/takeway use to any B1, A1, A2 or A3 use;
   i) from B1 use to D1 creches or day nursery facilities;
   j) from B1 use to D2 gymnasium/swimming pool;
   k) from B1 use to A1 retail;
   l) from B1 use to A2 financial and professional services;
m) from B1 use to A3 café/restaurant;

n) from B1 use to A5 hot food/ takeway.

Conditions:

2.2 Planning permission is provided under Class 2 of Schedule D subject to the following conditions:

a) No building shall be used for a B1 use other than a use falling within the schedule of uses contained in Appendix B of this LDO.

b) General condition G1.

c) Highways condition H9 (Travel Plans)

d) EXT5 - Highways works associated with extensions, alterations and change of use

e) Parking, loading and refuse condition P1.

f) A1, A2, A3 or A5 uses within the Newhall Approach Character Area must front either the Urban Boulevard (Link Road) East as defined in paragraph 1.1, i) and Appendix D of the LDO or London Road.

g) A1, A2, A3 or A5 uses within the Newhall Approach Character Area shall only be provided on the ground floor of buildings.

h) Individual A1, A2, A3 and A5 units within the Newhall Approach Character Area shall comprise a gross floor area no greater than 250 square metres.

i) The cumulative total of all A1, A2, A3 or A5 uses within the Newhall Approach Character Area shall not exceed 1,000 square metres of gross floor area in aggregate.

j) The cumulative total of all A1 uses within the Newhall Approach Character Area shall not exceed 400 square metres of gross floor area in aggregate.

k) The cumulative total of all A2 uses within the Newhall Approach Character Area shall not exceed 400 square metres of gross floor area in aggregate.

l) The cumulative total of all A3 uses within the Newhall Approach Character Area shall not exceed 400 square metres of gross floor area in aggregate.

m) The cumulative total of all A5 uses within the Newhall Approach Character Area shall not exceed 400 square metres of gross floor area in aggregate.

n) Individual D1 conference facilities shall comprise a gross floor area no greater than 750 square metres.

o) The cumulative total of all D1 conference facility uses within the Newhall Approach Character Area shall comprise gross floor area no greater than 750 square metres of gross floor area in aggregate.
p) Individual D1 training centres within the Newhall Approach Character Area shall comprise a gross floor area no greater than 750 square metres.

q) The cumulative total of all D1 training centre uses within the Newhall Approach Character Area shall comprise gross floor area no greater than 750 square metres of gross floor area in aggregate.

r) Individual D1 creches or day nursery facilities within the Newhall Approach Character Area shall comprise gross floor area no greater than 750 square metres.

s) The cumulative total of all D1 creches or day nursery facility uses within the Newhall Approach Character Area shall comprise gross floor area no greater than 750 square metres of gross floor area in aggregate.

t) Individual D2 gymnasium / swimming pool facilities within the Newhall Approach Character Area shall comprise gross floor area no greater than 1,200 square metres.

u) The cumulative total of all D2 gymnasium / swimming pool facilities within the Newhall Approach Character Area shall comprise gross floor area no greater than 1,200 square metres of gross floor area in aggregate.
SCHEDULE E - MINOR OPERATIONS

Class 1 – Facilities for the storage of oils, fuels and chemicals.

Permitted Development:

1.1 The erection of facilities for the storage of oils, fuels and chemicals.

Conditions:

1.2 Planning permission is provided under Class 1 of Schedule E subject to the following conditions:

a) Storage facilities erected under Class 1 of Schedule E shall be directly required permitted business and industrial activities undertaken on the site and shall not be used for any other purpose.

b) Any chemical/ fuel storage tanks must be sited on an impervious base and surrounded by a secondary containment that is impermeable to both the oil, fuel or chemical and water, for example a bund. The minimum volume of the secondary containment should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest. All fill points, vents, guages and sight guage must be located within the secondary containment. The drainage system of the secondary containment shall be sealed with no discharge to any watercourse, land or underground strata. Associated above ground pipework should be protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the secondary containment.

c) Storage facilities erected under Class 1 of Schedule E shall not be located within 10 metres of any public highway or residential boundary.

d) Storage facilities erected under Class 1 of Schedule E shall not exceed 5m in height.

Reason: To ensure safe storage of the contents of the tanks in the event of a spillage or leaks and to ensure facilities are directly related to and necessitated by the economic activities taking place on a development site and do not have a detrimental impact on the character of the public realm or on residential amenity.

Class 2 - The erection, maintenance or alteration of a fence, gate, wall or other means of enclosure

Permitted Development:

2.1 The erection, maintenance or alteration of a fence, gate, wall or other means of enclosure

Conditions:

2.2 Planning permission is provided under Class 2 of Schedule E subject to the following conditions:
a) Any development undertaken under Class 2 of Schedule E must comply with tables 7A, 7b, 7C and design codes B1 and B2 of chapter 7 of the London Road North Design Code.
GENERAL CONDITIONS

G1 Confirmation of Compliance

No development on each phase of development, as approved under condition PH1 and permitted by this LDO shall be begun until:

1. Full details of the proposed development have been submitted to the Local Planning Authority by way of the completion of their LDO Confirmation of Compliance Application Form together with all other supporting documents as required by their LDO Checklist.

2. The Local Planning Authority has sent written acknowledgment to the applicant confirming:
   a) the receipt of a valid LDO Confirmation of Compliance Application; and
   b) the start and expiry date of the 28 day LDO Compliance Assessment Period.

3. Following the written acknowledgement described in 2, either:
   a) The 28 day LDO Compliance Assessment Period has elapsed and the Local Planning Authority has neither certified that the proposal is compliant or non-compliant with the terms of the LDO;
   or
   b) Within the 28 day LDO Compliance Assessment Period, the Local Planning Authority issues written confirmation of compliance expressly stating that the proposed development accords with the planning permission granted by the LDO, subject to compliance with other pre-commencement conditions.

For the purposes of calculating the 28 day LDO Compliance Assessment Period, any Bank Holiday and any day between and inclusive of Christmas Eve and New Years Day each year shall not be taken into account.

The subsequent development should be carried out strictly in accordance with the LDO Confirmation of Compliance Application.

Reason: To ensure that the development is in conformity with the LDO and Design Code and to ensure that LDO development can be monitored over the lifetime of the LDO.

Note: Developers, agents and landowners should refer to the LDO Confirmation of Compliance Protocol.

G2 Conformity with Design Code

Development hereby permitted shall be carried out strictly in accordance with the relevant provisions of the London Road North Design Code.

Reason: To ensure the delivery of the London Road North Masterplan and to achieve development that is of a high quality in design.

G3 Construction Method Statement
No development on each phase of the development, as approved under Condition PH1, shall be begun until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall specify:

1. an appropriate construction access;
2. adequate turning and off loading facilities for delivery/construction vehicles within the limits of the construction site;
3. adequate parking areas clear of the highway for those employed in developing the site;
4. wheel cleaning facilities;
5. details of any hoarding to be erected during the construction works;
6. the construction traffic routes;
7. the hours of construction work;
8. the protection of public rights of way; and
9. provisions for a before and after road condition survey.

The approved statement shall be adhered to throughout the construction of the development.

**Reason:** To ensure that an approved programme for construction work is carried out during specified hours in the interests of the amenity of the area and to ensure that debris or construction material is not deposited on the highway.

**G4 Enterprise Zone Target Sectors**

The buildings erected for B1 or B2 purposes can only be used for the uses set out in Appendix B of the London Road North Local Development Order.

**Reason:** To deliver the sector focus of the enterprise zone and regulate employment activities not targeted by the LDO.

**G5 Safeguarded Strategic Infrastructure**

No development shall be begun on land safeguarded for strategic infrastructure and shaded orange on Appendix F of the LDO unless an alternative scheme for the implementation or relocation of infrastructure facilities is submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include the following components:

1. Details identifying the location(s) for the provision of infrastructure.
2. Confirmation of the suitability and availability of the alternative location(s) for the re-provided infrastructure.
3. An implementation plan containing a programme of works for the delivery of the re-provided infrastructure together with a timetable for implementation and completion of the works.

The development shall then commence in accordance with the approved scheme.

**Reason:** To ensure critical town-wide electricity and water infrastructure within the Zone is safeguarded or delivered.
G6/7 Relocation of Maypole Sports Club buildings and playing fields

Development shall not commence on any land shaded orange and labeled “Maypole Sports Club Playing Fields” or any land within the dashed black line boundary labeled “Maypole Sports Club building, tennis courts and parking area” on Appendix H or on any land shaded blue and labeled “interim land for Maypole Sports Club playing fields” on Appendix H until a phased scheme for the provision of permanent replacement playing field area and sport club facilities of an equivalent or better quantity and quality has been submitted to and approved in writing by the Local Planning Authority. The phasing plan shall ensure that there is no resultant shortfall in the provision of playing field area and may need to incorporate interim arrangements to prevent a shortfall in provision from occurring.

**Reason:** To ensure continuity of playing field provision for existing users and to ensure that replacement provision is implemented within an acceptable timescale.

G8 Demolition Method Statement

No development involving the demolition of buildings, on each phase of the development, as approved under Condition PH1, shall be begun until a Demolition Method Statement for that development parcel, has been submitted to and be agreed in writing by the Local Planning Authority. The Statement shall specify:

1. an appropriate access and egress arrangement for vehicles engaged in the demolition of buildings;
2. adequate turning and loading facilities for delivery /construction vehicles within the limits of the application site;
3. an adequate parking area clear of the highway for those employed in demolishing buildings within the site;
4. wheel cleaning facilities;
5. a strategy for the recycling and / or reuse of materials;
6. traffic routes to be used by vehicles engaged in demolition works;
7. hours of demolition work;
8. the protection of any public rights of way; and
9. arrangements for a before and after road condition survey.

Thereafter, development shall be carried out in accordance with approved details.

**Reason:** To ensure that demolition works cause the minimum of disturbance to adjoining land owners and businesses.

G9 The Removal of Demolition Building Materials

All material resulting from the demolition of the existing buildings on the site shall be completely removed from the site within 3 months of the buildings being demolished.
Reason: To ensure that demolition materials are removed from the site in an appropriate timescale so that they do not negatively impact the character and appearance of the area.

HIGHWAYS CONDITIONS

H1 Road Layout and Design

No development, on each phase of the development, as approved under Condition PH1, shall be begun until details of any highways works to be undertaken, within that development parcel, (including layout, geometry, dimensions, levels, gradients, surfacing, visibility splays, means of surface water drainage and street lighting) has been submitted to and approved in writing by the Local Planning Authority.

The carriageway dimensions and visibility splays shall be in accordance with the requirements set out in chapter 5 of the London Road North Design Code.

All highways works shall then be constructed in accordance with the approved details.

Reason: To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety.

H2 Carriageway Construction

The carriageway(s) to serve the development shall be constructed up to and including at least road base level, prior to the commencement of the erection of any building intended to take access from a road(s), on each phase of the development, as approved under Condition PH1.

Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering the footway.

The carriageways, footways and footpaths, verges and tree planting shall be completed prior to the occupation of any building.

Reason: To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety.

H3 Vehicular visibility splays

Prior to occupation of the development, on each phase of the development, as approved under Condition PH1, any road junction or vehicle access point shall be provided with visibility splays in accordance with dimensions of set out in Table 5H of Chapter 5 of the London Road North Design Code. These vehicular visibility splays shall be provided before the road junction or vehicle access point is first used by vehicular traffic and shall be retained free of any obstruction at all times thereafter.

Reason: To provide adequate inter-visibility between vehicles using the road junction / access and those in the existing public highway in the interest of highway safety.

Note: The acceptability of the interruption to vehicular visibility splays by trees, lamp-columns, telegraph poles etc. will be considered on a case by a case basis.
H4 Pedestrian Visibility Splays
Prior to occupation of the development, on each phase of the development, as approved under Condition PH1, a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular access and shall be retained free of any obstruction at all times. These visibility splays must not form part of the vehicular surface of the access.

Reason: To provide adequate inter-visibility between the users of the access and pedestrians in the adjoining public highway in the interest of highway safety.

H5 Trees in the Highway
Any tree planting proposed within the highway must be agreed in writing with the Highway Authority and planted in accordance with Table 5I of chapter 5 of the London Road North Design Code.

Reason: To avoid the interference with visibility splays, underground services and the lighting of the highway in the interest of highway safety.

H6 Unbound Surface Material Adjacent to the Highway
No unbound material shall be used in the surface treatment of the vehicular access routes within 10 metres of the highway boundary.

Reason: To prevent the deposit of unbound material on the highway in the interests of highways safety.

H7 Surface Water Drainage on the Highway
No surface water drainage shall discharge onto the public highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

H8 Hedges adjacent to a public highway
Hedges must be regularly maintained so that they do not encroach upon the highway.

Reason: To preserve the integrity of the public highway and in the interests of highway safety.

H9 Travel Plans
Prior to the occupation of any development, on each phase of the development, as approved under Condition PH1, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be prepared in accordance with the Enterprise West Essex @ Harlow Framework Travel Plan and must include:

1. Measures to encourage sustainable travel patterns;
2. A scheme for the management and implementation of the Travel Plan;
3. Targets for model shift;
4. Implementation timescales;  
5. Marketing and incentives; and  
6. Arrangements for monitoring and review.

Individual Travel Plans shall implement the overarching targets outlined in the Enterprise West Essex @ Harlow Framework Travel Plan.  
Reason: In the interests of promoting sustainable development and the use of sustainable modes of transport.

PHASING AND DELIVERY OF HIGHWAYS INFRASTRUCTURE CONDITIONS

PDH1  Development parcel A (EZ Gateway Character Area)  
Where development would be comprised within development parcel A as defined by paragraph 1.1, r) and would be undertaken under Class 1 of Schedule A of the Local Development Order, that development shall not be occupied until the following highways works have been provided in their entirety:

i. development permitted under Class 1 of Schedule C and defined in paragraph 1.1, g) and Appendix D of the LDO;

ii. development permitted under Class 2 of Schedule C and defined in paragraph 1.1, h) and Appendix D of the LDO; and

iii. development permitted under Class 4 of Schedule C and defined in paragraph 1.1, j) and Appendix D of the LDO.

PDH2  Development parcel A (Newhall Approach Character Area)  
Where development would be comprised within development parcel A as defined by paragraph 1.1, r) and would be undertaken under Class 2 of Schedule A of the Local Development Order, that development shall not be occupied until the following highways works have been provided in their entirety:

i. development permitted under Class 1 of Schedule C and defined in paragraph 1.1, g) and Appendix D of the LDO;

ii. development permitted under Class 2 of Schedule C and defined in paragraph 1.1, h) and Appendix D of the LDO;

iii. development permitted under Class 3 of Schedule C and defined in paragraph 1.1, i) and Appendix D of the LDO;

iv. development permitted under Class 4 of Schedule C and defined in paragraph 1.1, j) and Appendix D of the LDO; and

v. development permitted under Class 5 of Schedule C and defined in paragraph 1.1, k) and Appendix D of the LDO.

PDH3  Development parcel B (EZ Gateway Character Area)
Where development would be comprised within development parcel B as defined paragraph 1.1, s) and would be undertaken under Class 1 of Schedule A of the Local Development Order and lie adjacent to the A414 or Urban Boulevard (Link Road) West, that development shall not be occupied until the following highways works have been provided in their entirety:

i. development permitted under Class 1 of Schedule C and defined in paragraph 1.1, g) and Appendix D of the LDO;

ii. development permitted under Class 2 of Schedule C and defined in paragraph 1.1, h) and Appendix D of the LDO; and

iii. development permitted under Class 4 of Schedule C and defined in paragraph 1.1, j) and Appendix D of the LDO.

PDH4  Development parcel B (Main Employment Avenue Character Area)

Where development would be comprised within development parcel B as defined paragraph 1.1, s) and would be undertaken under Class 1 of Schedule A of the Local Development Order and lie adjacent to the Main Employment Avenue, that development shall not be occupied until the following highways works have been provided in their entirety:

i. development permitted under Class 1 of Schedule C and defined in paragraph 1.1, g) and Appendix D of the LDO;

ii. development permitted under Class 2 of Schedule C and defined in paragraph 1.1, h) and Appendix D of the LDO;

iii. development permitted under Class 4 of Schedule C and defined in paragraph 1.1, j) and Appendix D of the LDO;

iv. development permitted under Class 6 of Schedule C and defined in paragraph 1.1, i) and Appendix D of the LDO from a new junction with the Urban Boulevard (Link Road) West up to and immediately adjoining the existing Public Right of Way; and

v. either development permitted under Class 8 of Schedule C as defined paragraph 1.1, n) and Appendix D of the LDO or by or development permitted under Class 11 of Schedule C.

PDH5  Development parcel C (Newhall Approach Character Area)

Where development would be comprised within development parcel C as defined in paragraph 1.1, t) and would be undertaken under Class 2 of Schedule A of the Local Development Order, that development shall not be occupied until the following highways works have been provided in their entirety:

i. development permitted under Class 1 of Schedule C and defined in paragraph 1.1, g) and Appendix D of the LDO;

ii. development permitted under Class 2 of Schedule C and defined in paragraph 1.1, h) and Appendix D of the LDO;

iii. development permitted under Class 3 of Schedule C and defined in paragraph 1.1, i) and Appendix D of the LDO;
iv. development permitted under Class 4 of Schedule C and defined in paragraph 1.1, j) and Appendix D of the LDO; and

v. development permitted under Class 5 of Schedule C and defined in paragraph 1.1, k) and Appendix D of the LDO.

**PDH6 Development parcel C (Main Employment Avenue Character Area)**

Where development would be comprised within development parcel C as defined in paragraph 1.1, t) and would be undertaken under Class 1 of Schedule A of the Local Development Order, that development shall not be occupied until the following highways works have been provided in their entirety:

i. development permitted under Class 1 of Schedule C and defined in paragraph 1.1, g) and Appendix D of the LDO;

ii. development permitted under Class 2 of Schedule C and defined in paragraph 1.1, h) and Appendix D of the LDO;

iii. development permitted under Class 4 of Schedule C and defined in paragraph 1.1, j) and Appendix D of the LDO;

iv. development permitted under Class 6 of Schedule C and defined in paragraph 1.1, l) and Appendix D of the LDO from a new junction with the Urban Boulevard (Link Road) West up to and immediately adjoining the existing Public Right of Way; and

v. development permitted under Class 9 of Schedule C and defined in paragraph 1.1, o) of the LDO.

**PDH7 Development parcel D**

Where development would be comprised within development parcel D as defined in paragraph 1.1, u) and would be undertaken under Class 1 of Schedule A of the Local Development Order, that development shall not be occupied until the following highways works have been provided in their entirety:

i. development permitted under Class 1 of Schedule C and defined in paragraph 1.1, g) and Appendix D of the LDO;

ii. development permitted under Class 2 of Schedule C and defined in paragraph 1.1, h) and Appendix D of the LDO;

iii. development permitted under Class 4 of Schedule C and defined in paragraph 1.1, j) and Appendix D of the LDO;

iv. development permitted under Class 6 of Schedule C and defined in paragraph 1.1, l) and Appendix D of the LDO from a new junction with the Urban Boulevard (Link Road) West up to and immediately adjoining land shaded light blue and shown to be in the ownership of PowerRapid Harlow No. 1 Ltd on Appendix G; and

v. development permitted under Class 9 of Schedule C and defined in paragraph 1.1, o) of the LDO.

**PDH8 Development parcel E**
Where development would be comprised within development parcel E as defined in paragraph 1.1, v) and would be undertaken under Class 1 of Schedule A of the Local Development Order, that development shall not be occupied until the following highways works have been provided in their entirety:

i. development permitted under Class 1 of Schedule C and defined in paragraph 1.1, g) and Appendix D of the LDO;

ii. development permitted under Class 2 of Schedule C and defined in paragraph 1.1, h) and Appendix D of the LDO;

iii. development permitted under Class 4 of Schedule C and defined in paragraph 1.1, j) and Appendix D of the LDO;

iv. development permitted under Class 6 of Schedule C and defined in paragraph 1.1, i) and Appendix D of the LDO from a new junction with the Urban Boulevard (Link Road) West up to and immediately adjoining land shaded light blue and shown to be in the ownership of PowerRapid Harlow No. 1 Ltd on Appendix G; and

v. development permitted under Class 9 of Schedule C and defined in paragraph 1.1, o) of the LDO.

**PDH9 Development parcels F and H**

Where development would be comprised within development parcels F and H as defined in paragraph 1.1, w) and would be undertaken under Class 1 of Schedule A of the Local Development Order, that development shall not be occupied until the following highways works have been provided in their entirety:

i. development permitted under Class 7 of Schedule C and defined in paragraph 1.1, m) and Appendix D of the LDO;

ii. development permitted under Class 6 of Schedule C and defined in paragraph 1.1, i) and Appendix D of the LDO from a new junction on London Road up to and immediately adjoining land shaded green and shown to be in the ownership of Newhall Projects Ltd on Appendix G.

iii. development permitted under Class 10 of Schedule C and defined in paragraph 1.1, p) and Appendix D of the LDO.

**PDH10 Development parcel G**

Where development would be comprised within development parcel G as defined in paragraph 1.1, x) and would be undertaken under Class 1 of Schedule A of the Local Development Order, that development shall not be occupied until the following highways works have been provided in their entirety:

i. development permitted under Class 7 of Schedule C as defined in paragraph 1.1, m) and Appendix D of the LDO; and

ii. development permitted under Class 6 of Schedule C as defined in paragraph 1.1, i) and Appendix D of the LDO from a new junction on London Road up to and immediately adjoining land shaded green and shown to be in the ownership of Newhall Projects Ltd on Appendix G.
**PDH11 Appendix J Land**

No development shall be begun under Schedule A or Schedule B of the Local Development Order on any land shaded red on Appendix J until a new junction on the M11 to the east of Harlow (Junction 7a) has been completed and made available for use.

**Reason:** To ensure enterprise zone development is phased to take account of the transport assessment undertaken and the modeled impact of development on junction 7 of the M11.

**Note:** See informative INF6 for further information.

**PARKING, LOADING AND REFUSE CONDITIONS**

**P1 Parking Standards for New Development**

Development, on each phase of the development, as approved under Condition PH1, shall not be occupied until car parking bays, disabled parking bays, powered two wheeler parking bays and secure cycle parking racks or cages have been provided. The provision of all car parking, disabled parking bays, powered two wheeler and cycle parking shall be no lower than the minimum and no greater than the maximum parking standards as set out in chapter 11 of the London Road North Design Code. Thereafter all parking provision shall be used solely for the specified purposes and for no other purpose which would impede vehicle parking.

**Reason:** To ensure adequate parking provision is provided in the interests of Highway safety.

**P2 Loading and Turning Areas (within a site)**

All servicing of the development including designated loading and unloading facilities and vehicle turning areas shall take place from within the site and not from the public highway. Adequate turning space shall be provided within the site such that vehicles can enter and exit the site in a forward gear.

**Reason:** To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

**P3 Loading and Turning Areas (provision)**

Prior to the occupation of each phase of the development, as approved under Condition PH1, the areas within the site identified for the purpose of loading/unloading and manoeuvring shall be provided and be available for use. Thereafter, these areas shall be retained at all times for that sole purpose.

**Reason:** To ensure that areas intended for loading and unloading are provided prior to occupation and retained for that purpose thereafter.

**P4 Refuse Storage and Collection Facilities**

No development shall be begun, on each phase of the development, as approved under Condition PH1, until details of the proposed refuse storage and collection facilities have
been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided on site, prior to the occupation of the associated buildings (s) and in accordance with the approved details.

Reason: To ensure refuse arising from the development is appropriately managed.

ENVIRONMENTAL CONDITIONS

**E1 Works to Retain Existing Trees and Hedgerows**

No development shall be begun, on each phase of the development, as approved under Condition PH1, until a scheme indentifying those trees and hedgerows to be retained and the measures to be taken to protect them during the construction of the development has been submitted to and approved in writing by the Local Planning Authority. Schemes should take account of the Arboricultural Feasibility Report (May 2012) and the approved measures shall be carried out and retained at all times during the course of the development.

Reason: To comply with the duties indicated in Section 197 of The Town and Country Planning Act 1990 and to ensure satisfactory landscape treatment of the site in the interests of visual amenity and to screen and enhance the development in the interests of visual amenity.

Note: See informative INF5 (Breeding and Nesting Birds).

**E2 Detailed Landscaping Scheme**

No development shall be begun, on each phase of the development, as approved under Condition PH1, until a detailed landscape scheme has been submitted to and approved in writing by the Local Planning Authority. This landscaping scheme as agreed will be implemented during the next planting season following completion of the development. The scheme will include all hard and soft landscaping and details of boundary treatments. A specification of all materials will be supplied within a detailed method statement which will include site preparation, planting techniques, aftercare and a scheme of maintenance for a period of 5 years following completion of the scheme.

Reason: To comply with the duties indicated in Section 197 of The Town and Country Planning Act 1990 and to ensure satisfactory landscape treatment of the site in the interests of visual amenity and to screen and enhance the development in the interests of visual amenity.

**E3 Tree Re-Planting**

If, within a period of five years from the date of planting of any tree, that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place.
**Reason:** In the interest of the appearance of the proposed development and to ensure any damaged or destroyed trees are replaced.

**E4  External Lighting Scheme**

No development shall be begun, on each phase of the development, as approved under Condition PH1, until a comprehensive external lighting scheme has been submitted to and approved in writing by the Local Planning Authority. Thereafter, all lighting shall be installed and operated in accordance with the approved details before the development is occupied.

**Reason:** In the interests minimizing light pollution, intrusion and spillage to adjoining residential areas and in the interests of highways safety, to ensure that the lighting does not give rise to glare creating a hazardous distraction to drivers of vehicles on the adjacent highway.

**E6  Drainage**

Development shall not be begun, on each phase of the development, as approved under Condition PH1, until a scheme for the foul and surface water drainage for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

1. be in general accordance with the Flood Risk Assessment;
2. specify the range of measures used to reduce surface water run-off including Sustainable Urban Drainage (SUDs) systems;
3. demonstrate that sufficient foul and surface water capacity exists or will be, provided both on or off site;
4. set out pollution prevention measures including the measures used to reduce the potential for pollutants reaching either ground, surface water bodies or the surface water drainage system; and
5. include a timetable for implementation.

Development, on each phase, shall not be occupied or used until the approved SUDs systems (2); sufficient foul and surface water capacity (3); and approved pollution prevention measures (4) are in place as set out in the approved scheme.

**Reason:** To ensure satisfactory drainage of the development and ensure the implementation of pollution prevention measures.

**Note:** See informatives INF1 (Foul Drainage), INF2 (SUDs Approval) and INF3 (Trade Effluent).

**E7  Discharge from Parking and Loading Areas**

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from areas of hardstanding areas intended for vehicle parking, loading and turning and shall be passed through an oil inceptor. Inceptors shall be installed in accordance with detailed foul and surface water drainage schemes submitted and approved in writing by the Local Planning Authority for each phase of the development, as approved under condition PH1.
**Reason:** To prevent pollution of the water environment.

**Note:** Also see informatives INF3 (Trade Effluent) and INF1 (Foul Drainage).

**E8 European Protected Species Mitigation Scheme**

No development shall be begun, on each phase of the development, as approved under Condition PH1, until a detailed scheme for the protection and mitigation of any European Protected Species identified on site has been submitted to and approved in writing by the Local Planning Authority. The scheme will need to take account of the Extended Phase 1 Habitat Survey Report (May 2012) and shall include all of the following elements:

1. An ecological survey of the site, conducted at an appropriate time of year by an appropriately qualified ecologist in accordance with an accepted methodology, assessing the presence/absence of populations of European Protected Species as defined by the Conservation of Habitats and Species Regulations 2010 (as amended).
2. An assessment of the impact of the proposed development on any species identified in 1.
3. Details of mitigation measures to be undertaken to alleviate any impacts of the development on any species highlighted in 2.
4. A statement containing measures for the monitoring of any identified species present together with an action plan setting out measures to ameliorate adverse impacts.

The development shall then be carried out in accordance with the approved mitigation plan.

The time period when the survey required by 1 is to be undertaken and the scope of work to be undertaken must be submitted to and approved in writing by the Local Planning Authority before the survey is undertaken.

**Reason:** To ensure the protection of protected species on site during the construction of development.

**Note:** See informative INF4 (European Protected Species Licenses).

**E9 Sustainability**

All development shall be constructed to achieve a minimum rating of BREEAM ‘very good’.

**Reason:** To ensure development is sustainable and that necessary measures are taken with respect to mitigating environmental impacts with respect to climate change.

**E10 Operation of Machinery**

Any industrial process associated with development permitted by the LDO shall be carried out within a building and no industrial process shall be carried out in the open air.

**Reason:** In the interests of the amenity and character and appearance of the area.

**Note:** “Industrial process” is defined in paragraph 1.1, cc) of the LDO Schedule.
**E11  Façade Building Material Samples Along Key Routes**

No development shall be begun in relation to buildings adjacent to the A414, London Road or Urban Boulevard (Link Road), on each phase of the development, as approved under Condition PH1, until samples of the materials to be used in the construction of the external surfaces of the building facades visible from the highway have been submitted to and approved in writing by the Local Planning Authority. Thereafter, works shall be carried out in accordance with the approved details.

**Reason:** In the interests of the character and appearance of the area.
ARCHAEOLOGY CONDITIONS

A1 Archaeology (Written Scheme of Investigation / Methods Statement)
No development shall be begun, on each phase of the development, as approved under Condition PH1, until a Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority.

The Written Scheme of Investigation shall include a Methods Statement which shall outline a programme of archaeological work including the proposed fieldwork techniques (including trial trenching) to identify archaeological deposits within the site.

The Written Scheme of Investigation shall take account of the Historic Environmental Assessment for London Road North LDO, Harlow (January 2013).

Reason: The site is of likely archaeological interest.

A2 Archaeology (Location of Trial Trenches)
The final location of any trial trenches shall be approved in writing by an Essex County Council Historic Environment Officer prior to the commencement of trial trenching, on each phase of the development, as approved under Condition PH1.

Reason: To ensure trial trenching is undertaken in appropriate locations.

A3 Archaeology (Written Report)
No development, on each phase of the development, as approved under Condition PH1, other than that required to carry out archaeological work, shall be begun until a written report outlining the findings of archaeological fieldwork has been submitted to and approved in writing by the Local Planning Authority. The report must include:

1. a description of the survey methods used;
2. the location and size of trial trenches;
3. a detailed summary of all archeological deposits and evidence gathered;
4. an assessment of the significance of all archaeological deposits and evidence gathered;
5. a strategy for the preservation of significant archaeological deposits found on site; and
6. provision to be made for publication and dissemination of the results of the site investigation and archive deposition of the records and finds.

Reason: To ensure all archaeological evidence is recorded and assessed and an appropriate strategy is in place for the preservation of archaeological deposits on site.

A4 Archaeology (Code of Conduct)
All archaeological works shall be carried out in accordance with the Code of Conduct of the Institute for Archaeologists (ifA).

Reason: To ensure archaeological survey work is undertaken in accordance with appropriate professional standards.
EXTENSIONS AND ALTERATIONS

EXT1 _Building Materials on Extensions_
Any extension or alteration shall be constructed using materials which have a similar external appearance to those used for the original building being extended or altered.

_Reason_: In the interests of the character and appearance of the area.

EXT2 _Net reduction in loading or turning space_
Development shall not lead to a net reduction in the space available for loading or turning vehicles.

_Reason_: To ensure that sufficient loading and turning space is available such that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

EXT3 _Massing of extended or altered buildings_
Any extended or altered building shall accord with massing principles as set out in design code RH1 of the London Road North Design Code.

_Reason_: To ensure extensions or alterations respect the massing principles set out in the London Road North Design Code.

EXT4 _Extensions to building elevations/ façades adjacent to a public highway_
Any extension to a building elevation or façade adjacent to a public highway shall conform to the relevant set back standards set out in tables 5A to 5G of chapter 5 of the design code.

_Note_ – see ‘frontage building set back from highway’ (the yellow sections) parameters in tables 5A to 5G of chapter 5 of the design code.

EXT5 _Highways works associated with extensions, alterations and change of use_
Where any development undertaken through Schedule B or Schedule D of the LDO would require any work to a public highway or any road or footway to which the public will have right of access to, that development shall not be begun until details of the those highways works (including layout, geometry, dimensions, levels, gradients, surfacing, visibility splays and means of surface water drainage) have been be submitted to and approved in writing by the Local Planning Authority.

Development undertaken through Schedule B or Schedule D of the LDO shall not be occupied until the approved highways works have been completed in accordance with the approved details.

_Reason_: To ensure all highways works are constructed to an appropriate standard in the interests of highway safety.
**EXT6 Residential Impact**

Any extension or alteration undertaken through Schedule B of the LDO shall comply with the requirements of design codes R1 to R12 of chapter 10 of the London Road North Design Code.

**Reason:** To ensure extensions and alterations are undertaken in accordance with the London Road North Design Code.
INFORMATIVES

The following informatives provide guidance to landowners and developers about further statutory consents and requirements. These should not be confused with the planning conditions provided in the LDO Schedule.

INF1 - Foul Drainage

Developers will be required to demonstrate that there is adequate capacity both on and off the site to serve the development and that it would not lead to problems for existing users. In some circumstances this may make it necessary for developers to carry out appropriate studies to ascertain whether the proposed development will lead to overloading of existing infrastructure. Where a capacity problem is identified and no improvements are programmed by Thames Water, appropriate improvements will need to be completed prior to the occupation of the development.

INF2 – SUDs Approval

Essex County Council will become a SuDS Approval Body (SAB) by the enactment of Schedule 3 of the Flood and Water Management Act 2010, which is likely to be from April 2013. This means that all new development which has surface water drainage implications will potentially require SAB approval and need to conform to National and Local Standards. Defra have carried out an initial consultation on the process for gaining SuDS approval and applicants for planning permission should be made aware that:

i. The National Standards should be followed wherever possible when designing SuDS to increase the likelihood that the SAB can adopt them in the future.

ii. Essex County Council is developing Local Standards through its SuDS Design and Adoption Guide due out for public consultation in summer 2012 which should be followed wherever possible when designing SuDS to increase the likelihood that the SAB can adopt them in the future.

iii. Developments with existing planning permission, with one or more reserved matters or where a valid planning application exists before enactment of Schedule 3 (likely April 2013) will not require SuDS approval during the first 12 months (up to April 2014) but following this date must obtain SuDS approval prior to commencement of development.

For further information and enquiries, please contact Essex County Council’s SuDS team at suds@essex.gov.uk or telephone 01245 437138/437062.

INF3 – Trade Effluent

The Water Industry Act 1991 states that any liquid produced wholly or in part from any trade or business activity carried out on your trade premises qualifies as trade effluent and therefore requires consent from United Utilities.

Trade effluent control applies only to those discharges made to the foul sewer. No discharge of trade effluent should be made to the surface water sewer; this includes vehicle washes.
It is the responsibility of land owners and businesses to ensure drains on their site are identified correctly and any trade effluent discharge is directed to foul sewer. Any surface water drains on a site receiving contaminated surface water should be redirected to foul sewer and trade effluent consent applied for.

**INF4 – European Protected Species Licenses**

In the event that a European Protected Species is identified, a European Protected Species license may be required in accordance with Regulation 53 of the Conservation of Habitats and Species Regulations 2010.

A European Protected Species license will be needed if an appropriately qualified consultant ecologist, on the basis of survey information and specialist knowledge of the species concerned, considers that on balance the proposed activity is reasonably likely to result in an offence under Regulation 41 (animals) or 45 (plants) of the Conservation of Habitats and Species Regulations 2010 (as amended).

If an appointed consultant ecologist, on the basis of survey information and specialist knowledge of the species concerned, considers that on balance the proposed activity is reasonably unlikely to result in an offence under Regulation 41 or 45 of the above regulations then a European Protected Species license will not be required.

The presence of European Protected Species and the need for a European Protected Species license will be examined in detail on a case by case basis through the discharge of condition E8 (Protected Species Mitigation Scheme).

Landowners and developers should take note of the limitation set out in paragraph 18 of the Order. This states that no development is permitted in this Order where development would comprise an offence under Regulation 41 or Regulation 45 of the Conservation of Habitats and Species Regulations 2010 (as amended) and where a license has not been granted by the relevant licensing body in accordance with Regulation 53 of the Conservation of Habitats and Species Regulations 2010 (as amended) and where the specific provisions of such a license have not been complied with.

**INF5 - Breeding and Nesting Birds**

**Legal Protection**

Section 1(1) of the Wildlife and Countryside Act 1981 (as amended), makes it an offence to kill, injure or take any wild bird, and to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built. It is also an offence to take or destroy any wild bird eggs.

Bird species listed under Schedule 1 of the Act receive extra protection. The Act states that it is an offence to intentionally or recklessly disturb any wild bird listed in Schedule 1 while it is nest building, or at (or near) a nest containing eggs or young, or disturb the dependent young of such a bird.

**Potential Nesting Areas**

It should be assumed that birds will be nesting in trees, scrub, reeds or substantial ditch side vegetation during the core breeding period, unless a survey had shown this not to be the case. In addition, some species are ground nesting, such as the skylark and lapwing, both of which can occur on grassland areas and cleared sites where there is a time lapse between demolition and development. Particular attention should be paid to
any building demolition works as this is where swifts, swallows, house martins and barn owls preferentially choose to nest.

**Site clearance works / demolition / construction**

To avoid impact to nesting birds and ensure development is undertaken in accordance with provisions set out by the Wildlife and Countryside Act 1981 (as amended) any vegetation or site clearance works undertaken during the bird nesting season (1 March – 1 September) should only be undertaken once a breeding bird survey carried out during the nesting season by a suitably qualified person such as an ecologist has confirmed the absence of nesting birds and any Schedule 1 bird as set out by the Wildlife and Countryside Act 1981 (as amended).

**INF6 – Phasing condition PDH11 and Junction 7a**

It is understood that the highways agencies will not oppose a release of condition PDH11 pursuant to Section 73 where it can be demonstrated that sufficient spare highways capacity exists at Junction 7 because of one or more of the following reasons:

1. the monitoring of enterprise zone development across Harlow by the Local Planning Authority has demonstrated that a less transport intensive form of development has been developed such that the net transport impact of the development is lower than the 5,899 net new jobs originally anticipated within the Harlow enterprise zone area to the extent that sufficient spare highways capacity exists on Junction 7 of the M11 to allow development on land shaded red on Appendix J to be begun;

and/or

2. the monitoring of travel planning measures undertaken within the enterprise zone and/or within other areas of Harlow has demonstrated that sufficient spare highways capacity exists on Junction 7 of the M11 to allow development on land shaded red on Appendix J to be begun;

and/or

3. an alternative scheme of highway improvement works to Junction 7 of the M11 has been implemented has delivered the agreed additional highways capacity at Junction 7 such that development on the land shaded red on Appendix J may be begun.

**INF7 – Applications to remove or vary a condition under Section 73**

Applications to remove or vary any condition imposed by the London Road North Local Development Order may be made under Section 73 of the Town and Country Planning Act 1990 (as amended). The relevant form for making such an application is available on the Council’s website.

**INF8 – Planning Applications**

A normal planning application may be submitted under the Town and Country Planning Act 1990 (as amended) for development proposals within the LDO area which are outside the scope of the classes of permitted development set out in the LDO. The relevant form for making such an application is available on the Council’s website.