

# Local Development Orders

## Case study research and analysis



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# 1.0

## Background to the study

### 1.1 Introduction

The Planning Advisory Service (PAS) has published updated guidance on the making of Local Development Orders (LDOs) for local authorities.

To accompany the updated technical guidance, this report reflects on the experience of a number of LDOs, the majority of which have been put in place since PAS guidance on LDOs was previously published in early 2016. The case study analysis includes an update on several of the earlier case studies alongside a selection of other areas that have brought forward LDOs over recent years.

### 1.2 Current LDOs in policy and practice

LDOs are promoted by national planning guidance as a flexible tool to simplify and streamline the planning process, creating certainty for new development and saving time and money for those involved.

The early LDOs primarily focused on the development of commercial sites, particularly Enterprise Zones, where they were deployed as an appropriate tool to meet the requirement for a simplified planning process to be put in place and enable development to be brought forward.

The document 'Report into the use, value for money and effectiveness of Local Development Orders in implementing local authority objectives' (Planning Advisory Service, January 2014) found that by 2013 there were 65 adopted LDOs across 41 councils, 80 per cent of which related to employment development, with the majority in Enterprise Zones.

By the end of 2017 there were some 100 adopted LDOs across 50 councils. Whilst the majority of LDOs are still being used for commercial types of development (around 60 per cent of the total), around 20 per cent address new-build residential schemes, mixed-use development and smaller scale householder developments, several of which came forward as a result of the advisory work undertaken by PAS in 2015/16. The case studies in this report have been chosen to demonstrate the range of land uses to which LDOs can be applied.

### 1.3 Approach and scope of this research

Section three of this report reviews a number of case study LDOs that cover a range of development types and scales, and which identify examples of good practice and lessons learned from their preparation and delivery. The review includes an update to several of the case studies that were included in the guidance 'Preparing housing-led LDOs' (PAS, 2016).

Desk-top research into each of the LDOs has been followed up through interviews with officers in the respective local authorities who have knowledge and experience of LDO preparation and implementation. In each case, the emphasis has been on understanding the issues that the LDOs seek to address, and identifying areas of good practice and lessons for the benefit of other local authorities that might be considering preparing LDOs in the future.

The following case studies have been reviewed:

- **North East Lincolnshire Council** prepared an LDO to redevelop the former Clifton Bingo site, Grant Street, Cleethorpes for residential development (update to 2016 work).
- **North East Lincolnshire Council:** former Birds Eye factory, Ladysmith Road, Grimsby, for residential development.
- **West Lindsey District Council:** LDO at Riverside Gateway for residential development and supporting uses.
- **Central Bedfordshire Council:** LDO to relax planning controls at Stratton Business Park.
- **Cherwell District Council:** LDO for self-build housing at Graven Hill, Bicester.
- **Dudley Metropolitan Borough Council:** Blackbrook Enterprise Zone LDO.
- **Swindon Borough Council:** an LDO to support delivery of assisted living housing on two sites (update to 2016 work).
- **Teignbridge District Council** prepared an LDO for redevelopment for mixed-use development, including residential (update to 2016 work).
- **Dudley Metropolitan Borough Council:** LDO extending householder permitted development rights.
- **Vale of White Horse District Council:** LDO for Milton Park, a science and business park, for new commercial development.



# 2.0

## Key findings and lessons learned

The review of the case studies and associated desk-based research reveals a range of issues and learning points. Key findings have been drawn together under themes of scope, process and delivery/implementation, as set out below.

### Scope of use of LDOs

- LDOs are being used for a range of land uses including commercial, mixed use and residential. This is a wider range of uses than was seen in the early stages of the application of LDOs, when the primary focus was on simplifying the planning process for employment-related development.
- For residential development, the LDOs have been deployed to deliver new development at a variety of scales and types, from relatively small housing developments of five or six bungalows for assisted living to larger scale housing development of upwards of 200 dwellings, including for self-build.
- Those LDOs which permit commercial development similarly apply at different scales, from minor works to existing units on a business park, to larger scale new employment development – including in designated Enterprise Zones.
- LDOs are being used to permit minor works and relatively non-contentious householder developments, as a way of reducing the burden on both the business/householder and the resources of local planning authorities.
- Where LDOs have been used to encourage the redevelopment of brownfield sites within town centres as part of a wider regeneration strategy, there is evidence that they are generating increased development interest and this, in some cases, is bearing fruit in getting development off the ground.

### Process

- There are good examples of local authorities undertaking effective engagement with landowners, the local community and relevant stakeholders when preparing LDOs.
- Partnership working with the landowner, especially where the landowner is willing to provide resources to support the preparation of the LDO, can speed up the process and reduce the resource requirement of the local authority.
- Further simplification of the LDO revision process would add to the ease of use and attractiveness of LDOs.
- Authorities and partners should consider a relaunch of the LDO after a couple of years (even without a revision), especially for sites like a business park where there will have been a turnover of owners and tenants and awareness of the LDO has been lost.
- Development management officers/planning enquiry teams in local planning authorities should be aware of extant LDOs, so that they can promote them to landowners when receiving pre-application enquiries.
- The wider benefits that an LDO can deliver, by way of supporting economic investment and regeneration in an area and bringing forward stalled schemes, are felt to warrant the significant investment of council time and resources. Setting out these wider objectives and benefits of the LDO will help to demonstrate value for money and how they can help address wider corporate objectives.

- Councils should continue to seek out opportunities for government funding to support LDO preparation where they relate to important sites and/or wider local/national programmes and priorities.

## Delivery/implementation

- LDOs are recognised as a useful marketing tool, to raise the profile of a site and demonstrate a positive and progressive council approach to address issues relating to development and growth.
- LDOs have value in ‘de-risking’ the planning process and adding value to a site, especially for ‘difficult’ sites and those in areas of low land values, where a local plan allocation alone has not provided sufficient incentive for delivery.
- As part of the de-risking of the process and applying council resources to address a known issue, the preparation of an LDO can increase developer/landowner confidence.
- For large-scale LDOs that apply, for example, to development within business parks, the presence of a single landowner committed

to the LDO is a key factor in its successful implementation.

- In addition to simplifying the planning process for small-scale applications, for example householders and small businesses, LDOs can reduce officer time spent on relatively minor and non-contentious proposals, freeing up time for more complex sites where there is greater potential for added value.
- The process can increase understanding within the local authority of the commercial aspects of development, providing wider learning opportunities and enhancing the ability of the local authority to negotiate effectively on future schemes.
- Knowledge gained when preparing an LDO is useful for wider planning processes, such as local plan preparation, and the technical work supporting an LDO can contribute to the local plan evidence base.
- Preparing an LDO to kick-start a stalled site or increase the scale and pace of delivery is a good fit with other initiatives that local authorities can employ when considering delivery issues and preparing a housing delivery test action plan.



Custom and self-build development at Graven Hill, Bicester. Source: Graven Hill Development Company

# 3.0

## Case study research

### 3.1 Introduction

This section sets out an overview of a series of LDO case studies, involving a range of types and locations. The material provides an overview of each case study, together with related information on the nature of the LDO and a review of its implementation and impact.

### 3.2 North East Lincolnshire Council: Grant Street, Cleethorpes (update to 2016 case study)

This was one of three residential-led LDOs that North East Lincolnshire Council prepared to accelerate development in the borough, and for which it received a £103,000 capacity funding grant. The council led the process and

was able to engage consultants to support the process.

The site, the former Clifton Bingo site on Grant Street, Cleethorpes, is in private ownership, within a conservation area and at the centre of an under-used part of the town. The site is immediately adjacent to the railway station and close to the main shopping street, promenade, pier and seaside activities.

A residential-led scheme with full planning permission, dating from 2006, had not been implemented due to the lack of viability.

The council's principal objective for the LDO was therefore to maximise the likelihood that the site would come forward for development by simplifying and reducing risks from the planning process and defining a new, viable scheme that would be acceptable in planning terms.



Grant Street, Cleethorpes LDO

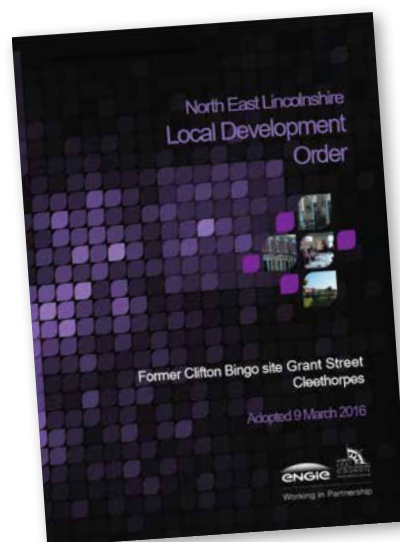
The redevelopment of the site for housing also met a key local objective to increase the supply of housing within the borough as a whole, and specifically in Cleethorpes. Viability permitting, the scheme also offered a potential opportunity to deliver much-needed affordable housing.

The LDO was viewed by the council as a strategic tool to improve the offer to business, unlock barriers to development, and raise awareness of development opportunities in the area to a wider market than had previously been seen in the borough.

The council took the initiative to engage with the landowners, who had not been focused on this site as a priority, but who became happy to progress it once they understood the council's proactive stance and willingness to pursue an LDO.

In preparing the LDO, North East Lincolnshire Council led an extensive consultation exercise involving letters, press notices and an event at the local library, and worked very closely with and alongside the landowner throughout. Using the capacity funding, the council was able to appoint consultants to support the work.

The LDO has been successful in bringing the landowner on board to take the site forward. Discussions are currently taking place with a developer who is new to the Grimsby area, so the LDO has created a new commercial interest in the site and reached a wider market than had previously been possible.





**LDO: former Clifton Bingo site, Grant Street, Cleethorpes, residential-led mixed-use development of a brownfield site**

LDO status	Adopted 9 March 2016.
Delivery status	Discussions underway with prospective developer.
LDO objectives	To bring about high-quality, sustainable development on a prominent conservation area site of 0.25 hectares, and to result in regeneration benefits.
Partners/ governance	North East Lincolnshire Council, Homes and Communities Agency (now Homes England), landowner
<b>The LDO</b>	
Development permitted by the LDO	The LDO grants outline consent for primarily residential use with ancillary retail, offices, commercial, restaurants and non-residential institutions.
Conditions	<p>Conditions relate to:</p> <ul style="list-style-type: none"> <li>• restricting the retail use to 1,000 square metres</li> <li>• requiring ground investigations</li> <li>• requiring education contributions</li> <li>• specifying vehicular access</li> <li>• seeking a Section 106 for affordable housing contribution, education contribution, and management and maintenance of drainage. The statement of reasons sets out draft heads of terms and states that a flexible approach will be adopted to the requirement for a Section 106, subject to adequate evidence of a scheme's viability.</li> </ul> <p>The LDO also requires regard to be had to a design statement and the 'assessment of significance' when submitting reserved matters applications. This is due to the sensitive heritage nature of the site.</p>
<b>Review</b>	
Issues and challenges	<p>The landowner had limited appetite to bring the site forward.</p> <p>A challenging site to redevelop, given its constrained nature and location within the conservation area, requiring an imaginative and new design solution.</p> <p>The site's presence within a conservation area meant that Heritage England had to be involved in the design process and were very supportive – an 'assessment of significance' had to be undertaken.</p>
Lessons learned	<p>The scheme was successful locally in demonstrating the council's commitment to dealing with a derelict and prominent site. The scheme was heavily promoted as a 'good news' story and has generated commercial interest. The council received a Royal Town Planning Institute award for 'team of the year' as a result of its LDO work.</p> <p>The promotion of an LDO sparked landowner interest in a site they may otherwise have continued to 'sit on' and resulted in a collaborative process to bring it forward. North East Lincolnshire Council's skills and knowledge on achieving commercial solutions in a sensitive environment have been enhanced.</p> <p>The process is very intensive and required significant discussion with Heritage England, with no planning application fee, but was brought about through capacity funding.</p>
For further information: <a href="https://www.nelincs.gov.uk/planning-and-development/planning-policy/local-development-orders/grant-street-cleethorpes-ldo/">https://www.nelincs.gov.uk/planning-and-development/planning-policy/local-development-orders/grant-street-cleethorpes-ldo/</a>	

### 3.3 North East Lincolnshire Council: redevelopment of the former Birds Eye factory, Ladysmith Road, Grimsby

North East Lincolnshire Council initiated the LDO for this site as councillors were concerned about the lack of activity on a large, four-hectare urban site in private ownership that had been vacant since 2005 and had become an eyesore. The council's principal objectives, through the preparation of this LDO, were to maximise the likelihood that the site was developed for a residential-led mixed-use development that could add to the range of housing in Grimsby and support regeneration.

As part of the preparation of the LDO, feasibility work was undertaken regarding ground conditions, flood risk, highways impact and site capacity, with viability work being undertaken jointly by the council and the then Homes and Communities Agency (now Homes England).

The site benefitted from two previous full planning permissions for residential schemes, one for 177 dwellings dating from 2006 and a second for 176 dwellings approved in 2013. This latter development was commenced through demolition and ground works but never progressed due to viability concerns, leaving an extant permission in place.

The council initiated a positive dialogue with the landowners, who realised that the LDO would save them costs on re-submissions.

A prospective developer became interested part-way through the LDO process and also engaged positively in the process. This resulted in a reserved matters submission as soon as the LDO was granted, seeking approval for a mixed-use development comprising 184 houses, 76 apartments and 1,000 square metres of commercial floor space. This was approved in March 2017 and is now being implemented.

The LDO process and the redevelopment of the site have been received positively, with positive local media reports. The North East Lincolnshire Council team has received national recognition for their work, gaining a Royal Town Planning Institute award for 'team of the year', largely as a result of their LDO work.

The council recognises the positive benefits that have resulted from the LDO process and see it as a useful tool in unlocking stalled sites and contributing to housing supply. Moreover, their experience of preparing three LDOs means that they could streamline the process in future. A concern remains over the cost and resource input required to bring forward an LDO, and the council would consider developing a risk assessment to understand the cost/benefits of pursuing one before embarking on the process again.



Development at Ladysmith Road, Grimsby. Source: North East Lincolnshire Council

<b>LDO: former Bird's Eye factory, Ladysmith Road, Grimsby, residential-led mixed-use development of brownfield site</b>	
LDO status	Adopted 9 March 2016.
Delivery status	Reserved matters approved March 2017 and development now on-site.
LDO objectives	The LDO seeks to bring forward the development for residential use (following an un-implemented permission), to add to the range of Grimsby's housing offer and regenerate a brownfield site.
Partners/ governance	North East Lincolnshire Council, working with HCA (now Homes England) and landowners  The council led on consultation and engagement with the local community, including a local exhibition, and this was well received.
<b>The LDO</b>	
Development permitted through the LDO	The LDO grants outline consent for residential use with ancillary uses of retail, restaurant, offices and non-residential institutions to allow a degree of flexibility.
Conditions	<p>Conditions attached relate to:</p> <ul style="list-style-type: none"> <li>• maximum of 300 dwellings, no more than two storeys</li> <li>• limit of 2,500 square metre commercial uses</li> <li>• requirement for ground investigations to be undertaken</li> <li>• specific vehicular access</li> <li>• implementation of drainage.</li> </ul> <p>The LDO also seeks a Section 106 for:</p> <ul style="list-style-type: none"> <li>• affordable housing provision</li> <li>• education contribution</li> <li>• highways improvements</li> <li>• management of public open space and drainage.</li> </ul> <p>The statement of reasons sets out draft heads of terms and states that a flexible approach will be adopted to the requirement for a Section 106, subject to adequate evidence of a scheme's viability.</p>
<b>Review</b>	
Issues and challenges	<p>A significant vacant urban site which had become an eyesore.</p> <p>Extant planning permission dating from 2013, which had started to be implemented but had not been progressed.</p> <p>Flood risk mitigation and highways requirements had increased since the 2013 permission.</p>
Lessons learned	<p>The process aided the council's understanding of issues around delivery and commerciality and improved relationships with the landowner – a collaborative process.</p> <p>The proactive approach has ultimately led to a successful approval and brought forward a site for delivery which was unlikely to have happened without the use of the LDO to simplify the planning process and instill confidence in the developer.</p> <p>Whilst the LDO has been extremely successful, it has had considerable resource requirements.</p> <p>There is also a loss of fee at outline stage, although there was a subsequent fee at reserved matters. Overall, the wider economic gains of bringing this site forward were considered to outweigh the loss of planning fee income.</p> <p>The LDO has increased the acceptable quantum of development on this site from that which was previously permitted, thus bringing it into viability.</p>
For further information: <a href="https://www.nelincs.gov.uk/planning-and-development/planning-policy/local-development-orders/ladysmith-road-grimsby-ldo/">https://www.nelincs.gov.uk/planning-and-development/planning-policy/local-development-orders/ladysmith-road-grimsby-ldo/</a>	

### 3.4 Swindon Borough Council: two LDOs for assisted living developments (update to 2016 case study)

Swindon Borough Council has utilised LDOs for a number of purposes since 2012, ranging from householder rear extensions to employment sites and approaches to low-carbon and solar energy generation and provision. Two LDOs were adopted in December 2015 to support and accelerate the delivery of assisted living housing developments (bungalows) at two sites.

The LDO process was led by Swindon Borough Council's planning officers, working with the housing, social services and borough architect's teams. The sites are owned by the council's housing fund, and the bungalows are to be of a pre-fabricated modular design which can be configured to the individual needs of the occupiers. The borough architect's team led the community engagement with adjoining residents to seek their views and provide reassurance that their existing amenity would be protected through the LDO delivery process.

Overall, the LDOs are deemed to have been a success, and development is on-site in both proposed locations. The design and built form of the proposed developments have broadly been accepted and supported by neighbours, whose main concerns have been with the nature of the land use rather than the built form of development.

Whilst development has started on both sites, the original timetable for construction to commence in the summer of 2016 was not achieved. This was mainly as a result of repeated changes in the design and specification of the buildings, brought about by changes in the service demands and needs of the council's social services team. In this regard, the LDOs have proved themselves to be flexible planning tools with their ability to accommodate such changes through the process.

In hindsight, the lack of a 'final' scheme design on which people and politicians could comment, at the point when planning permission is effectively being granted through the LDO, was a challenge. This was heightened, in this case, as the objective of maintaining flexibility in the final specification and design of the bungalows through the LDOs meant that the process employed the use of mock-ups and indicative designs to illustrate what the final outcome could be like. This issue highlights the importance of engagement with the local community and local politicians, and the inclusion of appropriate conditions to control the design quality and layout of the end product. The fact that Swindon Borough Council was the landowner, designer and developer went some way towards providing additional reassurance that the final outcomes would be acceptable.

It remains the ambition and intention of the council to roll-out the approach within the assisted living LDOs to other sites and on a wider basis across the Swindon area.



Development at Bembridge Close, spring 2018. Source: Swindon Borough Council

**LDO: land at Linden Road/Sycamore Grove, Pinehurst and land behind Bembridge Close, Beaufort Green for assisted living bungalows**

LDO status	Adopted 8 December 2015.
Delivery status	Bembridge Road site – development commenced.
LDO objectives	<ol style="list-style-type: none"> <li>1. A responsive planning framework: an LDO that enables accelerated delivery of the council's assisted living housing model, to allow construction to commence in summer 2016.</li> <li>2. A flexible planning framework: an LDO that will allow the council's housing and adult social care departments to adapt the layout of the housing schemes, and the design of individual homes, to meet changing needs and to successfully accommodate people with learning difficulties, the severely disabled and the elderly.</li> <li>3. A planning framework that can be replicated: an LDO model sufficiently robust to accommodate different character areas and constraints, enabling LDO methodology to be deployed elsewhere in Swindon and be rolled-out at additional sites in the borough.</li> <li>4. To maintain the integrity of the planning service: put in place control measures in the LDO that protect neighbour amenity and promote good design, so that the schemes are popular with occupants and neighbours.</li> </ol>
Partners/ governance	Swindon Borough Council planning teams (policy and development management) working with the housing and social services departments and the borough architect. Engagement with the local residential community.
<b>The LDO</b>	
Development permitted by the LDO	Assisted living bungalows for elderly people with specialist care needs, people with complex physical disabilities and people with autism, subject to the proposals demonstrating compliance with the LDO's conditions.
Conditions	<p>Including:</p> <ul style="list-style-type: none"> <li>• pre-commencement conditions for details of layout and facing materials</li> <li>• maximum floor area for units</li> <li>• maximum height</li> <li>• minimum separation distances</li> <li>• separation from the boundary</li> <li>• parking spaces per unit</li> <li>• slab levels</li> <li>• compliance with housing access standard</li> <li>• together with other standard kinds of conditions for new housing including construction and surface water treatment.</li> </ul>
<b>Review</b>	
Issues and challenges	<p>Delay in commencement of development due to repeated changes in the design and specification, arising from changes in the service demands and needs of the social services team.</p> <p>Lack of a 'final' scheme design on which people and politicians can comment at the point when planning permission is effectively being granted through the LDO.</p>
Lessons learned	<p>The role and value of community and councillor engagement to provide information and reassurance about the proposal.</p> <p>Where the land subject to the LDO is owned by the local authority, this can provide further reassurance of additional controls over the quality and appearance of the final development.</p>
For further information: <a href="https://www.swindon.gov.uk/downloads/download/175/planning_policy_-_ldos">https://www.swindon.gov.uk/downloads/download/175/planning_policy_-_ldos</a>	

## Other LDOs developed by Swindon Borough Council

Swindon Borough Council has developed a number of LDOs for a range of different land uses and applications, which are reviewed briefly here as they demonstrate the flexibility of LDOs in addressing a range of development types.

### LDOs for employment sites

Swindon has seven employment-related LDOs across a range of different employment locations and sites. The most well-utilised and effective LDOs are those on sites where there is one large owner or occupier, such as the BMW car plant site. This is felt to be due to BMW being an active participant in the creation of the LDO. As such, BMW better understands the process and was able to influence the LDO and the benefits it represented for their operations.

Those related to employment parks are less well utilised, which seems likely to be a result of the owners and occupiers in these locations being less aware and knowledgeable of the potential of the LDOs.

### Low-carbon developments

The council has prepared low carbon-related LDOs covering the following elements:

- non-domestic air source heat pumps and district heating installations (this LDO applies borough-wide)
- hydrogen and electric car fuelling installations (this LDO applies on multiple sites)
- pre-identified sites for solar arrays and solar farms (this LDO applies on multiple sites).

Of the above, the solar arrays have proved to be the best used and most successful. It is considered a corporate success story at Swindon Borough Council due to the LDOs contributing significantly to the delivery of a corporate policy to encourage solar arrays. The LDOs are viewed as having significantly de-risked the planning process for these developments.

The LDOs for the solar arrays employed a 'call for sites' type process, with the sites then assessed against a series of criteria in a similar manner to a sustainability appraisal/strategic environmental assessment process, to ensure that the locations which benefitted from the LDOs were appropriate and acceptable for solar arrays.

### Victoria Road area regeneration scheme

An LDO has been prepared for the Victoria Road area to complement the redevelopment scheme being taken forward at a former college site in helping to deliver the regeneration of the wider Victoria Road/Regent Circus area. Since its adoption, the Victoria Road LDO has been amended to extend its lifespan to March 2019.

The LDO allows the change of use of ground, lower and upper-floor premises to uses falling within classes A1-3 inclusive, C1-4 inclusive, B1 and D1, without the need for planning permission (subject to conditions). Local agents and owners consider the LDO to be a good selling point for the area which has helped to limit vacancy rates and played a part in halting the area's decline. Equally, Swindon Borough Council consider this to be a good learning experience for them in terms of using LDOs as a positive tool for proactive planning.

### 3.5 West Lindsey District Council: Riverside Gateway, Gainsborough

Adopted in July 2016, the LDO for the Riverside Gateway grants outline consent for the redevelopment of a vacant site of some four hectares at a key gateway into Gainsborough. The LDO seeks to deliver a housing-led development for up to 245 dwellings and other supporting uses, as well as the establishment of a riverside linear park.

The Riverside Gateway site lies within the Greater Gainsborough Housing Zone, one of a number of housing zones designated by the Government in 2015 with the purpose of stimulating and accelerating housing development.

Despite having been earmarked for residential development in the local plan for a number of years, the Riverside Gateway had not come forward for development. The site has significant constraints. It is bounded by the River Trent to the west and dominates the views of the town on the southern approach from the River Trent Bridge. Proposals for a residential scheme and marina came forward in

2003/04, which were supported in principle at the pre-application stage but failed to provide the necessary technical information and were not progressed. The proposals at the time set out a strong vision for the site, based on a high-density apartment-led scheme, but there were viability issues which worsened after the recession. The Riverside Gateway site is now allocated for residential development in the Central Lincolnshire Local Plan (April 2017).

The LDO was initiated by West Lindsey District Council in conjunction with the then Homes and Communities Agency, as part of a package of measures to promote regeneration and development in the wider Greater Gainsborough Housing Zone. The LDO was seen as a way of de-risking the planning process for prospective developers and demonstrating the council's commitment to getting development off the ground.

The council has successfully used the LDO to raise awareness among local businesses and developers of its commitment to growth in Gainsborough, and it has proved to be a useful marketing tool when promoting interest in the development of the area. As part of the housing zone programme there is a re-branding of the wider Gainsborough area underway, and the LDO again plays a useful role in demonstrating the council's commitment to making growth happen.

The landowner is also now referring to the LDO in their marketing information to prospective developers for the site, in what is a very low land value area, and is reporting that there is some interest.



Riverside Gateway LDO site plan

**LDO: Riverside Gateway, Gainsborough. Housing-led development of a brownfield site**

LDO status	Adopted 19 July 2016.
Delivery status	Site being marketed, with the landowner using the LDO to attract developer interest.
LDO objectives	<p>Deliver up to 245 dwellings (contributing to the housing zone objectives) along with a range of ground-floor uses including potential shops, restaurants and cafés, pubs, assembly and leisure facilities.</p> <p>Provide an attractive riverside walk (linear park), new open space and water features, animating the riverfront.</p> <p>Maximise the viability of the site, encouraging accelerated redevelopment.</p> <p>Stimulate a new urban housing market, building upon earlier riverfront developments to the north of the site (north of the Trent Bridge), and assist in the promotion of Gainsborough as a significant and new housing location.</p> <p>Set out parameter plans and design principles to ensure that a distinctive place, based on the site's historic, urban and riverfront character, is provided with an appropriate density, layout, massing, height, landscape and access.</p> <p>The vision of the LDO is to create a high-quality urban riverfront development, with a strong design rationale informed by the historic industrial character of the site.</p>
Partners/ governance	<p>West Lindsey District Council, Homes and Communities Agency.</p> <p>Landowners kept informed but not closely involved in the process.</p>

**The LDO**

Development permitted by the LDO	<p>The LDO grants permission, with matters reserved, for residential-led development with the following uses: class C3 – dwelling houses (up to 245 dwellings); classes A1 – shops, A2 – financial and professional services, A3 – restaurants and cafes, A4 – drinking establishments; classes D1 – non-residential institutions and D2 – assembly and leisure (maximum gross internal area of 500 square metres, with each unit not exceeding 250 square metres).</p> <p>The LDO also grants outline planning permission for associated infrastructure and site preparation works.</p>
Conditions	<p>The development is subject to the limitations and conditions detailed in the LDO and must comply with the parameter plans.</p> <p>The LDO includes illustrative plans (which show one way of achieving the wider regeneration vision) and design principles (against which reserved matters will be assessed).</p> <p>Reserved matters applications will have to be supported by a design and access statement, setting out how detailed proposals comply with the parameter plans and the design principles attached to the LDO.</p>

**Review**

Issues and challenges	<p>Lack of investment interest in the development of this vacant site over many years, despite the site being allocated for development in the local plan.</p> <p>Low land values and a constrained site make it unattractive as an investment opportunity.</p>
Lessons learned	<p>The LDO has been received positively by the local development industry through marketing exercises such as a Gainsborough 'developer day'. Overall, having the LDO in place is seen as sending a positive message that there is a viable future for the site which can be delivered via a simplified planning process.</p> <p>West Lindsey District Council are currently considering a revision to the LDO to clarify some elements where differences of interpretation between the local planning authority and landowner have arisen.</p>

For further information: <https://www.west-lindsey.gov.uk/my-business/growth-and-regeneration/housing-zone/riverside-gateway-local-development-order-ldo/>



### 3.6 Central Bedfordshire Council: Stratton Business Park, Biggleswade

Stratton Park is a purpose-built business park/ industrial estate in Biggleswade, dating from the 1990s. Located adjacent to and with easy access onto the A1, the site is an attractive location for business. It currently extends to some 36 hectares, but there are further phases of development planned, and the completion of these will see the business park eventually extending to some 83 hectares. It is intended that the LDO will be revised in future to cover these newer phases of the business park once they are occupied.

The business park is characterised by predominantly headquarters-style buildings for industrial and/or distribution businesses. The site is a key location for the ‘agrifood’ sector and this is a sector in which Central Bedfordshire Council wishes to see further growth. Stratton Park lies within the Ivel Valley, which is home to around 40 per cent of the agrifood businesses in Central Bedfordshire, as well as being important for food production and farming. A Food Enterprise Zone for the Ivel Valley was approved by the Government in 2015, and the LDO is seen as an effective approach to simplify the planning process and encourage further business development.



The LDO was initiated by Central Bedfordshire Council to reduce the planning burden on firms already established at the business park when wanting to expand their existing premises. It was felt that there was a considerable range of minor works that would be relatively uncontroversial, and that it would be economically advantageous to make the planning process easier and quicker. It was also prepared at a time that further phases of the business park were being developed, and was seen as a way of encouraging occupiers of existing buildings to extend and improve rather than relocate to the newer accommodation, which would have resulted in vacancies and disuse of the older part of the estate.

As part of the engagement on the draft LDO, the council attended a ‘business breakfast’ networking event on the business park, which provided a good opportunity to introduce and explain the LDO directly to the businesses and to encourage them to spread the word among their network contacts. This direct engagement was seen as particularly effective as it is often difficult to gain the attention of businesses through traditional planning consultations, especially on a subject which seems to have little initial relevance to their day-to-day operations.

The LDO was prepared by officers in the development management team with input from wider council colleagues.

To date, there has been some take-up of the benefits offered by the LDO, which has gone well. The processing of the prior notification submissions is prioritised and has not, on the whole, taken up a great deal of officer time so far.

**LDO: Central Bedfordshire Council, Stratton Business Park, Biggleswade. Relaxation of planning controls on works to commercial buildings**

LDO status	Adopted 6 October 2015.
Delivery status	LDO implemented, a number of prior notifications received for development.
LDO objectives	To enable business development by relaxing some of the planning controls on certain types of development.  To simplify changes to existing units to encourage occupiers to stay and improve their premises rather than relocate to new accommodation.
Partners/ governance	Central Bedfordshire Council led the process, engaging with landowners and tenants and with statutory and council consultees.

**The LDO**

Development permitted by the LDO	The LDO was produced to enable business development by relaxing some of the planning controls on certain types of development, including: <ul style="list-style-type: none"> <li>• a wide range of minor works such as certain changes of use, mezzanine floors, solar or PV panels, lighting, new fencing and a range of others</li> <li>• for agrifood businesses, the installation of extraction and ventilation equipment</li> <li>• the expansion of existing buildings up to 1,200 square metres, or 1,500 square metres for agrifood businesses, provided they stay within their current plot.</li> </ul>
Conditions	Developments under the LDO are subject to standard conditions in areas such as highways, contaminated land, noise, design, proximity to neighbouring uses and others. The LDO includes conditions that relate to: <ul style="list-style-type: none"> <li>• height and layout</li> <li>• noise disturbance and privacy</li> <li>• external lighting</li> <li>• odour/fume extraction and fixed plant</li> <li>• land contamination</li> <li>• car parking standards</li> <li>• drainage</li> <li>• archaeology.</li> </ul>

**Review**

Issues and challenges	Limited take-up of the LDO to date.
Lessons learned	Those landowners and tenants that have pursued development under the LDO have done so successfully.  Over time, the awareness of the LDO that was generated when it was being prepared and adopted may be diluted as new occupiers move onto the estate. There may be a need for a 'relaunch' of the LDO, especially as the new phases of the business park are occupied. Regular communication is important to maintain awareness of the existence of the LDO and its benefits to businesses.

For further information: <http://www.centralbedfordshire.gov.uk/business/developments/stratton/overview.aspx>

### 3.7 Teignbridge District Council: Brunswick Street, Teignmouth (update to 2016 case study)

The Brunswick Street site in Teignmouth is owned by Teignbridge District Council and is a key site for regeneration, supported by the local plan. This brownfield site of some 0.38 hectares is made up of three distinct parcels. In the centre is a 56-space off-street ground level car park; the smaller parcels to the north and south formerly contained two active garages, which has led to some land contamination. The former garage premises in the northern section is occupied partly by the Teignmouth Arts Action Group (TAAG) arts and community centre. The adopted Teignmouth Local Plan to 2033 allocates the site for a range of development, including up to 40 dwellings.

Adopted in April 2016, the LDO was prepared to promote vitality and a wider mix of uses in the town centre of Teignmouth, including residential and commercial development but also community and recreational uses.

The preparation of the LDO was informed by extensive consultation and technical work, including the preparation of a feasibility study to examine the economic viability of potential schemes and mix of uses. Other technical work included a flood risk assessment and the preparation of a detailed design guide to address the heritage aspects of the site, prepared in conjunction with Historic England. The council established an LDO working group, comprising representatives from the local community, town council, chamber of trade, town centre management group and TAAG. The working group met regularly and was successful in bringing the community along with the LDO as it was prepared.

The site was extensively marketed in 2016 when the LDO was adopted. The council, as landowner, received a number of interested enquiries, and the marketing led to engagement with prospective developers. The council is currently preparing to carry out a refreshed marketing exercise for the site,

and the LDO is a positive selling point for the development as it removes some of the risks to a developer when taking on what is a difficult and complex site.

Teignbridge District Council is currently reviewing its local plan. The technical work undertaken for the LDO has given officers a good understanding of the site and is providing useful evidence to support their policy-making in Teignmouth town centre.

As part of the local plan review, the council is considering future LDOs as a possible option for encouraging development of employment sites and other areas where development has been slow to get off the ground.

**LDO: Teignbridge District Council, Brunswick Street, Teignmouth. Mixed-use development of a brownfield site**

LDO status	Adopted 12 April 2016.
Delivery status	LDO used in marketing exercise to promote the site to potential developers.
LDO objectives	To help streamline the planning process and enable redevelopment of land and buildings at the Brunswick Street site, as part of a wider initiative to facilitate regeneration schemes in Teignmouth.
Partners/ governance	Teignbridge District Council working with external consultants; external consultees including Historic England; LDO working group comprising representatives from the local community.

**The LDO**

Development permitted by the LDO	<p>The LDO permits mixed-use development on the site within the parameters provided that conditions, requirements and the design guide are met. Development permitted includes commercial floorspace and community and recreational land uses at ground-floor level, with scope for up to 40 residential units on upper floors (due to flood risk).</p> <p>Prior to the commencement of development, a completed LDO submission form, together with the supporting information required by the LDO, must be submitted and agreed by the local planning authority.</p>
Conditions	<p>Include:</p> <ul style="list-style-type: none"> <li>• site layout, building heights and scale</li> <li>• design and access statement</li> <li>• compliance with the flood risk assessment</li> <li>• transport statement</li> <li>• surface water drainage</li> <li>• remediation statement</li> <li>• lighting</li> <li>• storage.</li> </ul> <p>In line with adopted planning policy, the site should deliver 25 per cent affordable housing.</p>

**Review**

Issues and challenges	<p>A mixed-use scheme sought for this one-off site to benefit and help consolidate the town's 'renaissance'.</p> <p>Complex site – existing car park and a number of buildings on the site, including one which is still occupied.</p> <p>Flood risk a significant challenge – no residential development permitted on ground floors in response to this.</p> <p>Conservation area and heritage issues led to a detailed design guide being developed in conjunction with Historic England.</p>
Lessons learned	<p>The engagement undertaken via the LDO working group was effective and well received. It helped to break down some barriers with the local community.</p>

For further information: <https://www.teignbridge.gov.uk/planning/local-plans-and-policy/local-development-order/>

### 3.8 Cherwell District Council: self-build housing at Graven Hill, Bicester

Graven Hill Village is located south of Bicester, off the A41, within three miles of junction nine of the M40. A former Ministry of Defence (MoD) ordnance depot, the site is planned to be one of the largest private custom- and self-build developments in Europe.

Cherwell District Council initiated the LDO, led by councillors who had seen a similar approach to simplifying the planning process used on a development in the Netherlands. The council saw an opportunity to purchase some of the site to enable development and control the quality, mix and type of new homes.

Outline consent for the development of 1,900 dwellings and associated infrastructure, including a primary school and community centre, was approved in 2014. The council established a demand register in 2013 to understand the scale of interest in self-build and custom-build housing in the area, and by 2016 more than 3,000 people had expressed interest. A masterplan and design code were prepared pursuant to the outline consent, and the LDO requires self-build proposals to adhere to these.

Cherwell District Council acquired 187 hectares of the 600-hectare Graven Hill site from the MoD in 2014, to provide a sustainable residential development that aligned with

the 2015 designation of Bicester as a new 'garden town'. The council formed the Graven Hill Development Company in 2015/16. The development company undertakes the marketing for the site and acts as a master developer, gaining reserved matters consent for and delivering the on-site infrastructure.

The LDO has enabled the development company to encourage bespoke design and help people to access the housing ladder. There has been significant interest in self-build plots and the promise of a simplified planning process. The 'plot passports' concept, which interprets the LDO and design code for specific plots, has been developed to further simplify the planning process for people interested in self-build.



## LDO: Graven Hill, Bicester, large-scale self-build housing development

LDO status	<p>Original LDO adopted 15 December 2015, for 198 dwellings.</p> <p>First revision adopted 18 January 2017.</p> <p>Second revision adopted 20 December 2017, for 276 dwellings.</p>
Delivery status	<p>Around 60-plus certificates of compliance submitted to Cherwell District Council for confirmation that the proposed development meets the requirements of the masterplan and design code since the LDO was first adopted. The first phase of 10 homes are complete and were featured in a Channel 4 TV programme, 'My grand design', screened in 2018. Other plots in the first phase are on-site.</p>
LDO objectives	<p>Initially, to enable the delivery of custom- and self-build homes as part of promoting additional private housebuilding opportunities. The objectives have evolved over time to speed up and simplify the planning process for self-builders.</p>
Partners/ governance	<ul style="list-style-type: none"> <li>• Councillors had a key involvement from the start, supported by the development management team and working with the highway authority.</li> <li>• At the LDO preparation stage, the MoD were not directly involved as they were pursuing an outline consent for the site.</li> <li>• The development company was not in existence when the LDO process commenced.</li> </ul>

### The LDO

Development permitted by the LDO	<ul style="list-style-type: none"> <li>• Class A – the erection or construction of a dwelling, including access and landscaping, pursuant to the outline consent.</li> <li>• Class B – the enlargement, extension or alteration of a dwelling constructed under class A.</li> <li>• Class C – provision in the curtilage of a dwelling that is being constructed under class A of a building or enclosure, swimming or other pool for a purpose incidental to the enjoyment of the dwelling; or a container used for domestic heating such as the storage of oil or liquid petroleum gas.</li> </ul> <p>Prior to commencing development, the developer must apply to the local planning authority for a determination as to whether the proposed development complies with the masterplan and design code.</p>
Conditions	<ul style="list-style-type: none"> <li>• That the dwelling proposed is self-build/custom-build.</li> <li>• Requirement for a developer to apply to the local planning authority for confirmation of compliance that the proposal meets the masterplan and design code.</li> <li>• Requirement for marketing evidence if a dwelling that is part of a terrace is proposed to come forward as neither self- or custom-build.</li> <li>• Design and layout conditions including primary elevation to front the highway; obscure glazing and non-opening windows for upper-floor windows on side elevations facing a neighbouring property; height of any chimney, flue and so on; and restriction on the depth of rear extensions to minimise impact on neighbouring properties.</li> <li>• Conditions relating to the siting, size and location of curtilage buildings and restrictions on the total amount of curtilage that can be covered by outbuildings. A tripartite Section 106 agreement between the MoD, Oxfordshire County Council and Cherwell District Council was signed on the 2014 outline consent. Discussions currently underway on a deed of variation on timing of contributions.</li> </ul>

### Review

<p>Issues and challenges</p>	<ul style="list-style-type: none"> <li>• At the start of the process, this was a relatively new and untested use for an LDO. In the early days there was insufficient clarity as to the information required to determine an application. The two subsequent revisions to the LDO have sought to address some of the lessons learned, especially in simplifying the process for developers.</li> <li>• In making the LDO, the key concern of councillors and officers was that there were sufficient parameters in place to ensure high-quality development. The masterplan and design code provide detailed guidance which prospective developers must comply with.</li> <li>• There has been a lack of understanding from applicants of the role of the council as local planning authority and confusion as to the relative role of the Graven Hill Development Company.</li> <li>• There have been problems with interpretation of some of the requirements of the LDO; however the council and the development company have worked pragmatically to resolve these as part of the learning curve.</li> </ul>
<p>Lessons learned</p>	<ul style="list-style-type: none"> <li>• The LDO is proving to be a useful and flexible tool to deliver self-build housing on a large scale. It provides a simplified and quick way for individuals to gain planning consent to build their own home.</li> <li>• In applying the LDO, developments are either in accordance with it or not – there is no option for negotiation. This has led to concerns that good quality developments have failed because of lack of compliance on one element. Despite this, prior determination applications are dealt with in 28 days, which is still quicker than a normal planning application route, so having to amend and resubmit does not significantly delay the development.</li> <li>• To simplify the planning process for self-builders, the development company produces a ‘plot passport’ for each plot which sets out the site-specific requirements of the masterplan and design code. Plot passports are not a formal planning document but are sent to the council for checking and, although a resource intensive process, this ensures that compliant developments are put forward for approval.</li> <li>• The council are currently considering introducing a pre-application approach to engage early on and work with applicants to ensure compliance.</li> <li>• Importance of joined-up thinking and ongoing and effective communication between the developer and the local planning authority to identify and resolve issues and teething problems.</li> </ul>
<p>For further information: <a href="https://www.cherwell.gov.uk/downloads/download/971/graven-hill-local-development-order-revision-2017">https://www.cherwell.gov.uk/downloads/download/971/graven-hill-local-development-order-revision-2017</a><a href="https://gravenhill.co.uk">https://gravenhill.co.uk</a></p>	

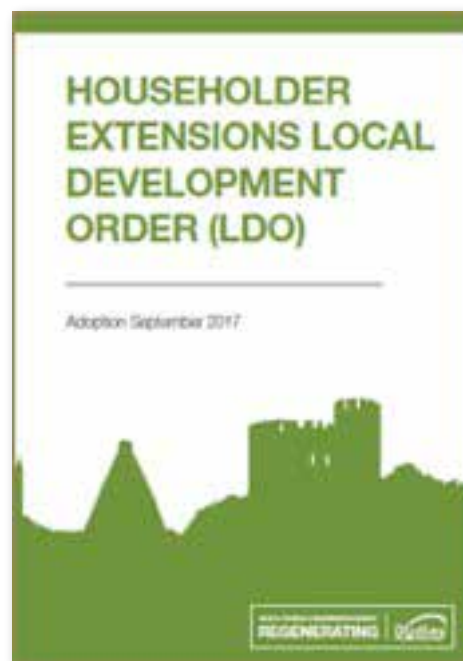
## 3.9 Dudley Metropolitan Borough Council: householder extensions LDO

The LDO was initiated by Dudley Council as one way of addressing pressures arising from reducing officer numbers and increasing caseloads. Of the 700 or so householder planning applications received by the council each year, it was considered that over half of those would be relatively non-contentious and would accord with the proposed LDO design guidance, resulting in them being delegated approvals. The officers were often simply processors of the information rather than adding value to schemes.

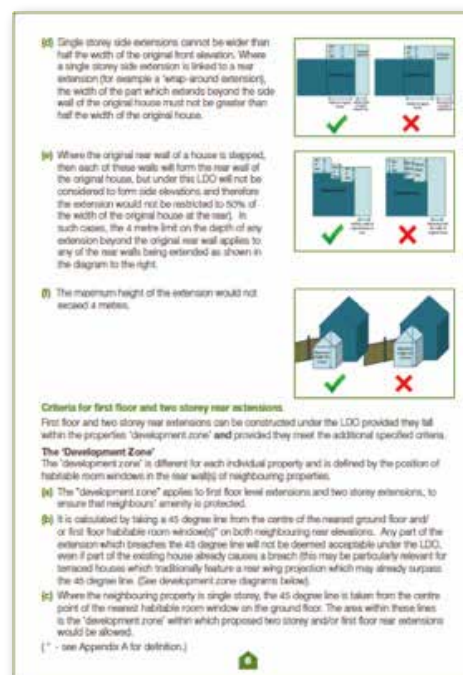
The LDO benefits are considered to be that:

- it is a simpler process compared to submitting a planning application because the proposal is assessed against a specific set of design criteria
- it provides greater certainty for the type of extension permitted where the application meets this set of design criteria
- it is a quicker process, taking two weeks rather than eight weeks
- it is less costly
- it reduces officer time spent on uncontentious applications for which the nationally set planning application fee does not cover the costs to the local planning authority. This frees up officer time for more complex planning applications where value can be added.

In order for an extension/alteration to comply with the LDO, householders must apply for written consent from the council to undertake the works. There is a detailed 'tick box' application form which guides applicants through the conditions and requirements of the LDO and requires them to confirm that they have read the design guide and consulted neighbours. A fee is payable with the application for consent.



Householder extensions LDO and design guide





**LDO: Dudley MBC, LDO permits a range of householder developments that would otherwise require planning permission.**

LDO status	Adopted 13 September 2017.
Delivery status	In use, several applications under the LDO have been approved.
LDO objectives	The LDO applies to house extensions and alterations which would normally require planning permission, but that are deemed to be straightforward and low-impact and in compliance with the council's house extensions planning guidance. The LDO does not remove any of the nationally set 'permitted development' rights but it broadens the range of extensions which homeowners can undertake without the need to apply for full planning permission. The intention is to streamline the process for householder enquiries.
Partners/ governance	The LDO was prepared by the council's planning department.
<b>The LDO</b>	
Development permitted by the LDO	This LDO includes: <ul style="list-style-type: none"> <li>• erection of single-storey rear and side extensions</li> <li>• erection of a two-storey extension</li> <li>• first-floor side and rear extensions.</li> </ul>
Conditions	The LDO requires developments to comply with the council's design guidance for house extensions and imposes a number of standard conditions relating to: <ul style="list-style-type: none"> <li>• materials to match existing property</li> <li>• size and proportion of windows to match existing property</li> <li>• no encroachment over a common boundary</li> <li>• no part of a side extension to extend beyond the front wall of the property</li> <li>• no balconies, verandas or raised platforms</li> <li>• total area covered by extensions not to exceed 50 per cent of the total curtilage; no chimney, flue or vent pipe to be more than one metre above the highest part of the roof</li> <li>• compliance with parking standards.</li> </ul>
<b>Review</b>	
Issues and challenges	<ul style="list-style-type: none"> <li>• For a borough-wide LDO, consultation requirements can be extensive. In this case, the letters to residents were sent out with the council tax notice, which represented good value for money.</li> <li>• The time required at each stage of the LDO preparation process cannot be underestimated – for example, the time needed to coordinate the consultation replies and respond to them.</li> <li>• There have been some concerns from local councillors as prior notification submissions for extensions permitted under the LDO do not require consultation. This could be addressed through additional councillor training and awareness-raising.</li> </ul>
Lessons learned	<ul style="list-style-type: none"> <li>• The LDO is proving successful in reducing officer workload and allows planning officers to dedicate their time to strategic delivery of housing on more complex sites.</li> <li>• Technical support officers deal with the enquiries, and this has given them an additional technical work stream and positive additional experience.</li> <li>• The LDO is delivering a 'quicker, cheaper and simpler' planning process for householders wanting to extend their homes – decisions on some of the approval applications have been turned around within five working days.</li> <li>• Ongoing communication and awareness-raising is important, for example to ensure that planning agents are aware of the LDO as an option.</li> <li>• The LDO is still relatively new and the local planning authority is committed to monitoring progress. One area that the authority is keen to understand is why some applicants have failed to comply with the LDO, and whether the LDO could be reviewed to improve its clarity.</li> </ul>
For further information: <a href="http://www.dudley.gov.uk/resident/planning/planning-services/local-development-order/">http://www.dudley.gov.uk/resident/planning/planning-services/local-development-order/</a>	

### 3.10 Dudley Metropolitan Borough Council: Blackbrook Valley Enterprise Zone LDO

The Government awarded Enterprise Zone status to the strategic employment areas at Brierley Hill/the Waterfront, including industrial sites in the Blackbrook Valley area, in January 2017. Known as 'DY5', the business and innovation Enterprise Zone (EZ) went live in April 2017. The aim of the DY5 EZ is very much around regenerating existing office accommodation at the Waterfront and satellite industrial sites in the surrounding area, a number of which are within the Blackbrook Valley. The purpose of the LDO is to enable industrial development to come forward more easily, without the need for planning permission, providing it meets certain criteria.

Work on the LDO commenced following the Enterprise Zone designation with the objective of making employment investment easier to achieve, as part of an overall package for the EZ.

As well as helping to realise the aims of DY5 EZ, the reason for the LDO focusing on the Blackbrook Valley area is also to meet other strategic planning and regeneration objectives, notably those resulting from the allocation of the Blackbrook Valley within the Black Country Core Strategy as a potential strategic high-quality employment area as part of a regeneration corridor (Dudley to Brierley Hill), and to help realise the opportunities presented by the proposed Midland Metro route which runs into this area.

The LDO provides benefits to local businesses through a simplified approach, including the provision of clear guidance for planning requirements and a set fee for applications. If the stipulated requirements are met, it enables companies to proceed with developments without the need for further full planning approval. Businesses that are not eligible will still be encouraged and supported to submit a standard application with the dedicated support of council officers.

The benefits of having an LDO for the Blackbrook Valley area are considered to include:

- avoiding unnecessary delays for a developer as well as adding a degree of certainty to the planning process
- simplify the planning process by setting clear guidance to planning requirements, so encouraging development and removing concerns relating to cost and uncertainty associated with gaining planning permission
- increasing the speed of granting planning permission by providing greater flexibility for development to respond quickly to changing markets and economic growth opportunities
- enhancing the image of the area as a site for enterprise and investment, with a view to securing its status as a strategic high-quality employment area
- promoting investment in Dudley borough and the DY5 EZ, and consequently aligning with council plan objectives of growing the economy
- encouraging new and expanding business and creating jobs, demonstrating that Dudley Council is adopting a positive approach towards businesses.

**LDO: Dudley MBC, Blackbrook Valley area LDO permitting development within use classes B1b and c, B2 and B8**

LDO status	Adopted 21 March 2018.
Delivery status	Recently adopted, coming into force in 2018
LDO objectives	<p>To deliver area-based economic growth and regeneration with a focus on enabling industrial and employment-related development, through a simplified planning regime, specifically without the need for a formal planning application.</p> <p>The LDO contributes to the overall objectives of the DY5 EZ with regard to regenerating existing office accommodation at the Waterfront and other industrial sites in the surrounding area, a number of which are within the Blackbrook Valley, and bringing forward vacant land totaling 100 acres in an existing industrial area.</p>
Partners/ governance	<p>Landowners, internal consultees, EZ project officer.</p> <p>The engagement was effective in ensuring that the area is promoted and that environmental considerations were taken into account.</p> <p>The planning policy team led the process in consultation with the EZ project officer.</p>
<b>The LDO</b>	
Development permitted by the LDO	<p>Development falling within use classes B1b, B1c, B2 and B8.</p> <p>On-site ancillary works required to give effect to the development of the permitted uses.</p> <p>Prior to the commencement of development, the applicant is required to submit an LDO compliance application form to the council, along with associated documents.</p> <p>The application will be accompanied by a fee of <b>£385</b>.</p>
Conditions	<p>Standard conditions relating to:</p> <ul style="list-style-type: none"> <li>environmental protection</li> <li>land contamination</li> <li>drainage</li> <li>highways and access</li> <li>landscape and ecology.</li> </ul>
<b>Review</b>	
Issues and challenges	<p>Preparing the LDO is a very intensive officer-led process.</p> <p>A local nature reserve adjoins the LDO boundary. This requires ecological survey work as part of a prior notification submission and carrying out a screening opinion to determine whether an environmental impact assessment is required. Where that is the case, a full planning application would need to be submitted.</p>
Lessons learned	<p>The process of preparing the LDO, with the accompanying engagement and publicity, has created a level of development interest and raised the profile of the council and the opportunities available at the Enterprise Zone.</p> <p>It has been supported by the business community and local politicians and raises the employment image of the borough.</p>
For further information: <a href="http://www.dudley.gov.uk/resident/planning/planning-policy/local-plan/bbvalley-ldo/">http://www.dudley.gov.uk/resident/planning/planning-policy/local-plan/bbvalley-ldo/</a>	

### 3.11 Vale of White Horse District Council: Milton Park Business and Science Park LDO

Together with Harwell Oxford, 15 sites within the Milton Park Business and Science Park form the Science Vale UK Enterprise Zone, designated in 2011. Following the designation of the Enterprise Zone, Vale of White Horse District Council worked with MEPC (the owner and operator of Milton Park) to produce an LDO for the whole of Milton Park. The aim was to simplify planning control and give greater flexibility to businesses across the business park, whilst maintaining a successful and diverse mix of employment-generating uses on the site.

Milton Park is one of Europe's largest multi-use business parks, with a significant concentration of applied science businesses. At the time of preparing the LDO, Milton Park was home to more than 160 companies, employing around 6,500 people over its 100-hectare site. At the time, the park had around 250,000 square metres of employment and other floorspace, and provided high-quality offices, headquarters buildings, laboratories, industrial units and warehousing to rent on flexible and affordable terms in a wide mix of building types.

Milton Park lies within the proposed Didcot Garden Town area of influence (along with Harwell Campus and Culham Science Centre) and within the Didcot Garden Town masterplan area. The Science Vale area now has two Enterprise Zones – the Science Vale Oxford, of which the Milton Park site forms part, and the Didcot Growth Accelerator.

A key component of the economic strategy for the area and a priority of the Oxfordshire Local Enterprise Partnership (OxLEP) is the promotion of the growth of the science sector at the science hubs of Harwell Campus and Culham Science Centre, along with continuing economic growth at Milton Park. Economic growth in the Science Vale is closely aligned with the aspiration of Didcot Garden Town to deliver an additional 20,000 jobs across Didcot and the wider Science Vale. These 20,000 jobs are specifically expected to be accommodated through growth in science-sector businesses in the area. There is an aspiration for Didcot to play a greater role in the Science Vale, creating an environment which promotes synergies between the academic, public and private sector stakeholders.

Following the designation of the Enterprise Zone, MEPC, as the owner of Milton Park, recognised the value in the simplified approach to planning that the LDO offered, and supported its preparation using its own internal resources and those of its planning consultants. This reduced the overall amount



55 Western Avenue, Milton Park – a three-storey B1 office building. Source: MEPC

of work that the local authority had to carry out, reducing the resource requirement on officers and speeding up the preparation process.

The LDO covers the whole of Milton Park, including those sites within the Enterprise Zone. It identifies a number of zones which relate to areas of differing development constraints, wherein specific development parameters and planning conditions apply. The LDO restricts the total floorspace of all development within its area to no more than 370,000 square metres, representing an increase of 54,000 square metres from the existing and consented floorspace as at 2012. In order to maintain and enhance the high-quality design of Milton Park, design guidance and a tree management framework are included.

There are two legal agreements that are not part of the LDO but were put in place before it was adopted to come into force upon adoption. One agreement with Oxfordshire County Council relates to developer contributions for local highway improvements. The second, between MEPC and Vale of White Horse District Council, limits the risk that compensation would have to be paid should permitted development rights in an LDO be withdrawn or amended.

The consultation process for the emerging LDO included an informal stage with key stakeholders, including statutory consultees and residents, prior to the formal consultation. As a result of the consultation with residents,

MEPC agreed to hold regular meetings with Milton and Sutton Courtenay parish councils, and others, to share information about future development and other matters that might be of public interest. The Milton Park liaison group was set up when the LDO was first put in place, and it functions as a forum where MEPC and the local planning authority can share information about the Milton Park development with the local community to keep people up to date. The group is chaired by a Vale of White Horse district councillor and operates under specific terms of reference.



95 Park Drive, office and laboratory research facility. Source: MEPC

## LDO: Milton Park, Vale of White Horse, business and commercial development including land within an Enterprise Zone

LDO status	Adopted 12 December 2016.
Delivery status	<p>LDO is operational and has generated some 44 prior notification applications since adoption for developments including new office, industrial and laboratory units, extensions to existing units, a new hotel and a new pub/restaurant.</p> <p>In the last five years an additional 50,000 square metres of floorspace has been permitted on the business park through the LDO.</p>
LDO objectives	<p>The purpose of the Milton Park LDO is to:</p> <ul style="list-style-type: none"> <li>• enable a vibrant business area, promoting employment-generating uses at the business park to maximise the success of Science Vale UK Enterprise Zone</li> <li>• give greater confidence to business to invest in Milton Park, partly due to the LDO 's 15-year lifetime, reflecting the length of many business leases</li> <li>• simplify planning control to give greater flexibility for businesses to develop new premises and facilities or adapt existing premises, whilst maintaining a successful and diverse mix of employment-generating uses</li> <li>• implement saved policy E5 of the Vale of White Horse Local Plan 2011 (adopted in 2006) which supports new business development and redevelopment in use classes B1, B2 and B8.</li> </ul>
Partners/ governance	MEPC, as owners of Milton Park.
<b>The LDO</b>	
Development permitted by the LDO	<p>Some expansion of the existing business park is permitted by the LDO in recognition of the Enterprise Zone areas beyond the existing development envelope. Development in these areas is subject to specific development parameters and conditions.</p> <p>The LDO allows development within the B1, B2 and B8 use classes, reflecting the predominant uses at the park and to encourage job growth. An element of other employment-generating uses is also permitted. Car dealership (sui generis) and private healthcare (D2) are identified in the LDO as permitted uses subject to specific limitations in terms of floorspace and location within the LDO area, as they are exceptions to local plan policy.</p> <p>The LDO also allows for some 'other uses' such as small-scale shops and recreation facilities that will help support the sustainability and vitality of the business park. These are subject to specific limitations, including a maximum overall total of 18,500 square metres (equivalent to five per cent of gross floor space permitted by the order).</p>

<p>Conditions</p>	<p>A number of conditions are included to protect, amongst others, residential amenity and highway safety and ensure sustainable development:</p> <ul style="list-style-type: none"> <li>• protection of archaeological features</li> <li>• requirement for contaminated land assessment</li> <li>• noise rating level restrictions</li> <li>• lighting restrictions</li> <li>• requirement for prior agreement of new vehicular access, parking and turning arrangements</li> <li>• restrictions on times for operating machinery</li> <li>• requirement of a scheme for treatment of dust or fumes</li> <li>• requirement for construction traffic management plan</li> <li>• development to conform to Milton Park travel plan</li> <li>• ecological baseline to be established and need for protected species surveys</li> <li>• landscape scheme to be prepared in accordance with the LDO design guidance</li> <li>• approval of a sustainable drainage scheme required prior to commencement of development.</li> </ul> <p>A design guide and tree framework form part of the LDO and new development is required to follow the guidance in these.</p> <p>Prior notification of development to the local planning authority is required. The local authority has 10 days to make a decision.</p>
<p><b>Review</b></p>	
<p>Issues and challenges</p>	<p>Preparing an LDO on this scale raised questions about the ability of the council to resource the process. MEPC were, however, able to provide resources, including consultancy advice, to commission the necessary evidence and technical studies and produce the order.</p> <p>When the LDO was first mooted, the loss of planning fees for LDO development (prior notification cost is £45 per application) was an initial concern for councillors, but that was outweighed by the wider economic benefits to the area and the council through business rates arising from the simplified planning process. The LDO also reduces office time spent on detailed planning applications for new development on the Science Park – instead, prior notification applications are checked for compliance with the LDO requirements and a decision issued within 10 days. This provides the dual benefit of freeing up officer time for more complex planning applications elsewhere and delivering certainty for the applicants quickly, reducing delays to new development.</p> <p>A further concern of councillors at the outset was the loss of control over new development. However, officers were able to address this by demonstrating that the LDO would include development parameters and a design guide. The LDO had to reflect and ensure adequate protection was given to adjoining residential areas, a scheduled ancient monument and areas of ecological importance. Extensive background technical studies were undertaken to assess and identify mitigation for natural and historic assets and the LDO was screened for environmental impact assessment.</p>

## Lessons learned

- The LDO works very well due to a combination of a large estate in the ownership of a single landowner, a supportive local authority and a clear commercial market. MEPC's commitment to the LDO provides benefits to both its preparation and implementation, and has been a key factor in providing the necessary resources to put the LDO in place quickly.
- Concerns raised by local ward councillors, parish councils and residents about the development of Milton Park, and whether the LDO would result in a dilution of control over its expansion, have been successfully addressed in two key ways – the inclusion of development parameters and a design guide in the LDO itself, and the creation of a stakeholder group which ensures a regular programme of meetings between MEPC, the local authority and local people/organisations to share information and receive feedback on any development-related issues.
- MEPC regards the LDO as a 'game changer', enabling them to deliver new business units and, by so doing, encourage inward investment, as well as enabling existing businesses to improve their sites quickly and efficiently. From their experience at Milton Park, they would recommend LDOs to other business parks and landowners in a similar position.
- Echoing that view, the local authority recognises the benefits that the LDO is bringing to economic investment and in enabling them to direct officer resources to more complex planning applications. The success of the Milton Park LDO has encouraged the authority to prepare an LDO for a new Enterprise Zone, D-Tech Didcot, designated in April 2016. As with Milton Park, the LDO is being prepared in partnership with the landowner.
- The LDO has been used creatively and flexibly to encourage the delivery of a greater diversity of uses, complementary to the main B1 uses on the business park, and widening its attractiveness to business.

For further information: <http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/milton-park-local-development-order>











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