

Hartlepool Borough Council Local Development Order Oakesway

**1st April 2015 -
31st March 2018**



April 2015



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1. Introduction

- 1.1 In order to aid economic recovery and stimulate growth, the Government is pursuing its programme of Enterprise Zones throughout the country. The Tees Valley Enterprise Zone was announced as part of the Budget in 2011, and its format was agreed between the Government and Tees Valley Unlimited in August 2011. It includes twelve sites across the Tees Valley and developers of the sites will benefit from either business rates discount, or enhanced capital allowances to support the growth of existing firms and/or attract significant inward investment. The financial incentives available as part of the Enterprise Zone designation have been extended to at least March 2018.
- 1.2 The Enterprise Zone initiative is intended to support and attract investment in key sectors which have been identified as having potential for growth in the Tees Valley. There are three sites within Hartlepool which are included within the Tees Valley Enterprise Zone: Queens Meadow Business Park, Oakesway and the Port. Oakesway is a "Business Rates Discount" Enterprise Zone.
- 1.3 As well as the financial benefits, Enterprise Zones provide an added incentive of simplified planning processes. Most of the Tees Valley Enterprise Zones will do this through Local Development Orders (LDOs). This means that for specific developments that help deliver the aims of the Enterprise Zone, planning permission will not be required. The introduction of LDOs is intended to provide greater certainty to potential developers in terms of planning decisions and reduce costs associated with securing planning consents.
- 1.4 Oakesway will be guided by a Local Development Order. The LDO will allow development to be undertaken without the need for planning permission to be obtained, providing the development is carried out in accordance with established design guidance and conditions. This LDO sets out the details by which developments will be permitted within Oakesway and the associated design guidance and conditions that need to be satisfied.

2. Purpose of the Tees Valley Enterprise Zone

- 2.1 The economic strategy for the Tees Valley is to drive the transition from a high value, high carbon economy to a high value, low carbon economy focused on renewable energy, new technologies, biological feedstocks and the reduction of the carbon footprint of existing industries. Further support will be given to emerging new sectors such as digital and creative industries. One mechanism for delivering the economic strategy for the Tees Valley is the creation of Enterprise Zones, tailored to the specific and complex challenges and opportunities of the Tees Valley.
- 2.2 The Tees Valley Enterprise Zone is a collection of individual sites across the Tees Valley. The individual sites are identified in Table A. Oakesway is allocated as a site which benefits from Enhanced Capital Allowance.

Table A: Tees Valley Enterprise Zones

Tees Valley Borough	Site Name	Enterprise Zone Type
Hartlepool	Queens Meadow	Business Rates Discount
	Oakesway	Business Rates Discount
	The Port	Enhanced Capital Allowance
Stockton on Tees	Belasis Hall	Business Rates Discount
	North Shore	Business Rates Discount
	Energy & Tech Park	Enhanced Capital Allowance
Redcar & Cleveland	Kirkleatham	Business Rates Discount
	South Bank Wharf	Enhanced Capital Allowance
	Wilton	Enhanced Capital Allowance
Middlesbrough	South West Ironmasters	Business Rates Discount
	St Hilda's	Business Rates Discount
Darlington	Central Park	Business Rates Discount

- 2.3 The rationale behind the Tees Valley Enterprise Zone creation is to:
- Support the existing petrochemical, process and engineering industries to modernise, making them more sustainable and competitive.
 - Create an attractive platform to secure large-scale inward investors, particularly foreign direct investment in the petrochemical, process and advanced engineering sectors.
 - Encourage the growth of existing and new supply chains to support our large-scale industries.
 - Support the emerging and fast growing digital sector.
- 2.4 The Enterprise Zone strategy therefore is to:
- Use Business Rate Discount for those sites which are aimed at fostering indigenous small- and medium sized businesses which form the supply chain of the area's heavy industries such as petro-chemicals, renewable energy and advanced engineering or which are part of the area's emerging and fast-growing digital sector
 - Offer Enhanced Capital Allowances to support the petro-chemical, renewable energy production and fabrication and advanced engineering sectors to

modernise and expand their activities and to attract large-scale inward investors, particularly Foreign Direct Investment (FDI).

- Simplify the planning controls on the Enterprise Zone sites.

2.5 Only businesses that fall into one of the three business growth sectors will be allowed to take advantage of the financial incentives. These are:

- Advanced Engineering & Advanced Manufacturing;
- Chemical, Pharmaceutical & Biotechnology, and;
- Renewable Energy Manufacturing.

It will be to the discretion of the Local Enterprise Partnership Board, in consultation with the Local Planning Authority as to whether a proposed business is deemed to fall within one of the three business sectors.

2.6 Within the three business sectors, only Advanced Engineering, Advanced Manufacturing and Renewable Energy Manufacturing will be appropriate for Oakesway.

3. Simplifying Planning on Enterprise Zones

- 3.1 A requirement of the Enterprise Zone designation is that planning controls are 'simplified'. The Government is promoting the use of Local Development Orders (LDO) as a means to simplify the planning process. Hartlepool Borough Council therefore intends to establish an LDO for Oakesway.
- 3.2 LDOs are an established part of the planning system having been introduced through the Town and Country Planning Act (1990). Their roles and functions have been revised through subsequent legislation as follows:
 - Sections 61A-D and Schedule 4A to the Town and Country Planning Act 1990 as amended;
 - Planning and Compulsory Purchase Act 2004;
 - Section 188 of the Planning Act 2008;
 - Town and Country Planning (Development Management Procedure) (England) Order 2010, and
 - Growth and Infrastructure Act 2013
- 3.3 An LDO will enable development that supports the aims and objectives of the Tees Valley Enterprise Zone to be undertaken without the need for planning permission. This should encourage development by providing a high degree of certainty to developers and investors, as well as reducing costs through the removal of planning application fees.
- 3.4 An LDO sets out the type of development that will no longer need to be subject to a planning application. If the proposed development falls within the categories defined in the LDO and provided it satisfies certain conditions and development requirements, it is assumed that for planning purposes consent is granted and the work can start right away. Developments within the LDO area that do not fall within the specified criteria or do not meet the conditions or development requirements may still be suitable but will be subject to the normal planning consent procedures.
- 3.5 LDOs do not obviate the need to obtain other statutory consents such as Building Regulations approval, consents under Highways Legislation, Listed Building Consent, Health and Safety Executive consents etc.
- 3.6 The LDO does not alter or supersede any existing planning consents within the LDO boundary. Any development approved through such planning consents can continue to develop without being affected by any direction from this LDO.

4. Oakesway Enterprise Zone

- 4.1 As outlined in Table A, Oakesway is allocated as part of the Tees Valley Enterprise Zone. The Enterprise Zone LDO boundary area equates to 39ha.

Proposed Land Uses

- 4.2 Oakesway is currently allocated through the Hartlepool Local Plan (2006). Oakesway is allocated for the following uses:

- (B1) Offices, research and development of products and processes, light industry appropriate in a residential area;
- (B2) General Industry (excluding incineration purposes, chemical treatment or landfill or hazardous or inert waste), and;
- (B8) Storage and Distribution.

The proposed LDO proposes only certain uses within the above use classes.

Proposed Business Sectors

- 4.3 Through the LDO the following business sectors will be appropriate on Oakesway:

- Advanced Engineering & Advanced Manufacturing
- Renewable Energy Manufacturing

- 4.4 The Oakesway Enterprise Zone benefits from Business Rates Discount. For details on the areas within Oakesway that will benefit from the financial incentives please consult the details below:

Website: <http://www.destinationhartlepool.com/>

Contact: Antony Steinberg
Economic Development Manager

Tel: (01429) 857081

Email: antony.steinberg@hartlepool.gov.uk

5. Oakesway Site

- 5.1 The Oakesway Enterprise Zone encompasses the majority of the working Oakesway industrial area. Within the Oakesway industrial area the LDO boundary area equates to 39ha.

Site History and Description

- 5.2 Oakesway Industrial Estate was developed in the mid 1950's as part of the post war rebuilding. The estate was owned by English Estate and the majority was occupied by GEC and was used for manufacturing electronics. It has subsequently had a refurbishment programme in the mid 1990's that was funded by the City Challenge programme and English Estates. The improvements included a major landscaping and infrastructure programme. The estate has evolved over the years adapting to changing markets with older units demolished and newer units being built. Current occupiers include a brake manufacturer, security bag manufacturer, steel stockists, and a cable distributor.
- 5.3 In the 1994 Local Plan Oakesway, was allocated through policy Ec5 for business, general industry and warehousing, typically falling within B1, B2 and B8 use classes.
- 5.4 The site is continues to be identified in the 2006 Local Plan as an area for business, general industry and warehousing, typically falling within B1, B2 and B8 use classes.

Existing Infrastructure

- 5.5 Oakesway is served by a full complement of existing utilities and infrastructure, including the following.

Transport Access

- 5.6 There is vehicular, pedestrian and cycle access from the A179 via the Marina Way and local Warren and Winterbottom Roads. The Newcastle to Middlesbrough rail line runs adjacent to the site with passenger access at nearby Hartlepool Station.

Utilities Provision

- 5.7 It is recommended that developers contact the relevant utility provider when designing a new development on Oakesway. Contact details can be found in table C.

Potential Constraints

- 5.8 The known potential constraints relating to the site are set out below, and represent the information available to the Local Planning Authority at the time of preparing this LDO. It is recommended that any potential developers seek clarification regarding these issues prior to commencing any development.

Residential Amenity

- 5.9 There are residential areas at West View, the Headland, Central Estate and Dyke House that have the potential to be affected by certain types of new development on Oakesway. Controls on development generated noise, dust, smell, vibration and general disturbance will be placed on development enabled through this LDO.

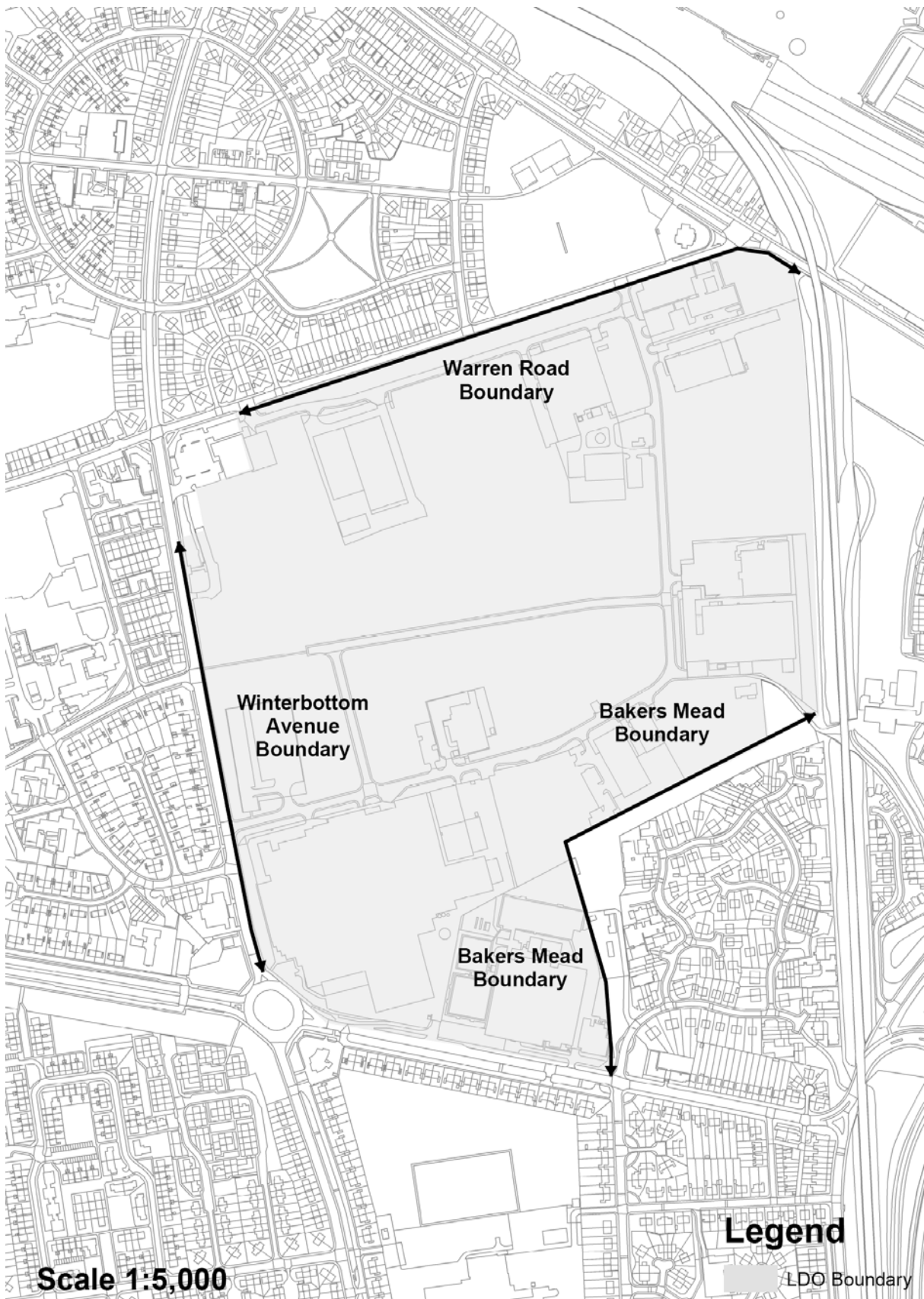
Noise

- 5.10 Any development will need to take into consideration the nearby residential areas and existing and future business occupiers of Oakesway. Therefore, unless agreed by the Local Planning Authority, development generating noise in excess of the thresholds identified in Table B, as measured at the boundary of the LDO site, will not be permitted through the LDO. The boundary locations are identified on Diagram A.

Table B: Maximum Noise Thresholds

Boundary	Time	Noise Thresholds
Warren Road	23:00 to 07:00	55dB LAeq5min and 65dB LAFmax
	07:00 to 23:00	75dB LAeq1hr and 86dB LAFmax
Winterbottom Avenue	23:00 to 07:00	55dB LAeq5min and 68dB LAFmax
	07:00 to 23:00	67dB LAeq1hr and 77dB LAFmax
Bakers Mead	23:00 to 07:00	55dB LAeq5min and 65dB LAFmax
	07:00 to 23:00	60dB LAeq1hr and 70dB LAFmax

Diagram A: Noise Threshold Boundaries



Flood Risk

- 5.11 The LDO area is predominantly identified as being within Flood Zone 1 and it therefore considered being at low risk of flooding. However there is a need to consider the implications of climate change in design and undertake a flood risk assessment if developing in Flood Zones 2 or 3. Notwithstanding the flood risk, if any development takes up in excess of 1ha of land it will require a flood risk assessment. Early consultation with the Environment Agency is essential.

Health & Safety Executive Consultation Zones

- 5.12 No part of the site is within any identified HSE consultation zones.

Contamination

- 5.13 The site was formally subject to potentially contaminative land uses. The site lies with a sensitive environmental setting as it lies on the Magnesian Limestone principle aquifer. There are risks associated with land contamination and these should be addressed by any redevelopment. Early consultation with the Environment Agency and Hartlepool Borough Council is recommended.

Habitats and Biodiversity

- 5.14 Initial habitat surveys have identified that other than breeding birds there are no identified habitats that support protected species, or actual protected species currently present on the site. Breeding birds are afforded protection under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. Early consultation with Hartlepool Borough Council is recommended.

Historic Environment

- 5.15 There are no buildings of historic merit that need to taken into consideration on site.

Adjacent Rail Access

- 5.16 To the east of the site is the Newcastle to Middlesbrough rail line. Any new development would need to consider any potential impact on the rail line. Early consultation with Network Rail is essential.

Building Regulations

- 5.17 Any development would require compliance with the Building Regulations and Hartlepool Borough Council would be available to provide further advice and guidance to ensure the project is dealt with as efficiently as possible.

6. Pre Development Consultations

- 6.1 Where the identified constraints mentioned in the previous section are relevant there will be a requirement to consult an appropriate organisation. The following contacts in Table C are of relevance:

Table C: Contact Details

Consideration	Organisation Details
Hartlepool Borough Council	Planning Services Manager Hartlepool Borough Council Tel: (01429) 523596 Email: andrew.carter@hartlepool.gov.uk
Electricity	NEDL Durham Training Centre (RIC), Kepier Farm, Durham City, DH1 1LB
Gas	Northern Gas Networks Burradon Operational Unit, Mylord Crescent, Burradon, NE12 0UJ
Water	Hartlepool Water 3 Lancaster Road, Hartlepool, TS24 8LW
Surface and Sewer Water Drainage	Northumbrian Water Leat House, Pattinson Road, Washington, NE38 8LB Tel: (0191) 4196603
Flood Risk Management	Environment Agency Skinnerburn Road, Newcastle Upon Tyne NE4 7AR Tel: (0191) 2034203
Rail Line	Network Rail George Stephenson House, Toft Green, York YO1 6JT Tel: (01904) 389501

Consideration	Organisation Details
Environmental Considerations	Natural England Consultation Service Hornbeam House, Crewe Business Park, Crewe CW1 6GJ Tel: 0300 060 4654 Email: consultations@naturalengland.org.uk

- 6.2 Pre development advice and the formal discharging of conditions will be chargeable by the Borough Council.

Pre Development Advice

- 6.3 As per the requirements of the LDO, certain information will need to be submitted to the Borough Council prior to any development being undertaken in accordance with the LDO. Pre development discussions will ensure greater certainty and clarity to the developer by identifying planning issues and requirements to ensure that the proposed development will be in accordance with the requirements of the LDO.
- 6.4 The Borough Council will aim to respond to all pre development advice with 15 to 25 working days. For further advice and a detailed illustration of the pre development advice service, including fees and timescales, please consult the Hartlepool Borough Council website.

Website: www.hartlepool.gov.uk

Discharging of Planning Conditions

- 6.5 A development that is commenced without compliance with the conditions contained in the LDO will be at risk of being unauthorised development. There is a fee associated with the discharge of planning conditions. The procedures apply with regard to all requests made to the Council to discharge conditions imposed on planning approvals or requests seeking confirmation of compliance with such conditions (as in the case of the requirements set out in the Enterprise Zone LDO's). The request can be made in any written form, which is clear, understandable and identifies the relevant permission and conditions concerned.
- 6.6 The fee payable for requests is £85.00. The fee must be submitted at the same time the request is made. Requests that are received without the appropriate fee will be returned unanswered. The fee is payable for each request made. A single request may seek to discharge more than one condition. If you later decide to change the details of an agreed condition a new payment is required.
- 6.7 The Borough Council will seek to respond within eight weeks. A longer period of time may be required where ongoing discussion and correspondence are necessary. If the authority fails to provide confirmation or notification that confirmation cannot be provided within twelve weeks of the date of receipt, the fee will be refunded.
- 6.8 Any advice requests regarding pre development or conditions should be made to the Planning Services Manager; see contact details in Table C.

7. Statement of Reasons

7.1 The following paragraphs outline the rationale behind creating the LDO.

Description of Development Granted Planning Permission

7.2 The Local Development Order (LDO) grants planning permission, exclusively for buildings and associated development relating to:

- (B1) Offices, research and development of products and processes, light industry appropriate in a residential area;
- (B2) General Industry (excluding incineration purposes, chemical treatment or landfill or any operation (processing or storage) or activity involving hazardous or inert waste), and;
- (B8) Storage and Distribution.

Specifically related to the following business sectors:

- Advanced Engineering & Advanced Manufacturing
- Renewable Energy Manufacturing

Providing that:

- The Development Requirements identified in Table 1 are satisfied, and;
- The Conditions in Table 2 are satisfied, and;
- Submissions are made to the Local Planning Authority by 1st April 2018.

7.3 The LDO would apply to the land identified in Diagram 1, in the LDO, which forms part of the wider Oakesway area.

7.4 The LDO does not permit changes of use between use classes or from a different land use within the same use class to any use which is not specifically identified in the LDO. If a change is proposed a planning application would be required. The purpose of the restriction is to support development in these key growth sectors and to restrict any uses which may be detrimental or inappropriate to this location.

Justification for Creating the LDO

7.5 As part of its commitment to economic recovery and growth, the Government has introduced Enterprise Zones to stimulate private sector investment and support business development. The two key components of Enterprise Zones are the provision of financial incentives to support investment and the simplifying of the planning system. The Government is advocating the use of LDOs as a means to simplify the planning process. An LDO is considered to be the most appropriate mechanism for the Oakesway Enterprise Zone.

7.6 This LDO will allow development to be undertaken without the need for planning permission to be obtained provided they comply with specified development requirements and conditions. In exempting certain defined development from the need to obtain specific planning permission, developers will save on planning application costs and the time required to process applications. Developers will also benefit from receiving a greater degree of certainty that they can go ahead as permission is granted provided they meet the agreed conditions and development requirements.

7.7 Oakesway has been designated as a “Business Rates Discount” Enterprise Zone. This will allow any businesses that meet the criteria set out in the LDO to locate to the zone and take advantage of the financial incentives.

7.8 The types of businesses identified in the LDO are restricted to the following specific business sectors:

- Advanced Engineering & Advanced Manufacturing
- Renewable Energy Manufacturing

The business sectors proposed for Oakesway will attract investment into the Borough, in areas identified as growth sectors for the Tees Valley and the Borough of Hartlepool; contributing towards the aim of creating a more diversified and inclusive economy.

Statement of Policies that the LDO will Implement

7.9 The LDO supports the implementation of existing strategies, plans and policies at a national and local level. The relevant policies are listed below:

National Planning Policy Framework 2012
Paragraphs 17 to 21

National Planning Practice Guidance
‘When is permission required’ Updated 5th March 2015

Local Planning Policy (Hartlepool Local Plan 2006)
GEP1 General Environmental Principles
GEP2 Access for All
GEP3 Crime Prevention by Planning and Design
Ind5 Industrial Areas
Tra 20 Travel Plans

Lifetime of the LDO

7.10 The LDO originally commenced on 1st April 2012 and was due to on 1st April 2015. The LDO has now been extended for a further three years and will now expire on 1st April 2018.

7.11 Once the LDO expires on 1st April 2018 the Local Planning Authority will have three options available:

- Extend the LDO under the same criteria and conditions;
- Revise the LDO and modify the criteria and conditions; or
- Revoke the LDO and return to the established planning system.

7.12 Any development which has commenced under the provision of the LDO will be allowed to be completed within a reasonable time period, in accordance with the terms and conditions of the LDO.

Monitoring the LDO

7.13 The LDO will be subject to continuous monitoring to assess its effectiveness in achieving economic growth objectives; ensuring development is appropriate. The

full details of the monitoring framework are set out in Appendix 1. The monitoring information will be incorporated in the Annual Monitoring Report.

Development Requirements

- 7.14 Taking into consideration the location of Oakesway, existing and proposed users and also the need to protect the amenity nearby residential areas it is imperative that any new development be in accordance with the design requirements and conditions set out in Tables 1 and 2 identified in the LDO. In summary these seek to secure:

- A high standard of design and materials used;
- Energy efficiency measures;
- Appropriate surface water and sewer drainage infrastructure;
- Adequate access, parking and road infrastructure;
- High quality landscaping and planting;
- Development that does not generate inappropriate noise and disturbance;
- Development that effectively deals with any on-site contamination;
- Development that considers crime prevention; and

Other Statutory Requirements

- 7.14 Whilst the LDO grants planning permission for certain types of development at Oakesway it does not grant other consents that may be required under other legislation.

It will remain the responsibility of the developers to ensure that all other statutory requirements beyond the scope of the planning system are adhered to.

- 7.15 Although not an exhaustive list, particular attention is drawn to the following relevant legislation:

European

- Directive 92/43/EEC (Habitats)
- Directive 85/337/EEC (amended by Directive 97/11/EC) (Environmental Impact Assessment)

National

- Wildlife and Countryside Act 1981
- The Conservation (Natural Habitats, &c.) Regulations 1994
- The Environmental Permitting (England and Wales) Regulations 2010
- Health and Safety Executive
- Building Regulations
- The Town and Country Planning Act 2007 (Control of Adverts)(England)
- The Planning Act 1990 (Hazardous Substances)
- The Planning Regulations 1992 (Hazardous Substances)
- The Highways Act
- Environmental Permitting Regulations 2010

- 7.16 Failure to comply with the relevant statutory requirements could result in any development being unlawful and may result in appropriate enforcement action being

taken by the Borough Council and/or other agencies. It is the responsibility of the developer/development to be in accordance with all relevant legislation.

End of Supporting Documentation

Oakesway Local Development Order

Within the Oakesway Enterprise Zone identified on Diagram 1, planning permission is granted, exclusively for the following land use, buildings and associated development for:

- **(B1) Offices, research and development of products and processes, light industry appropriate in a residential area;**
- **(B2) General Industry (excluding incineration purposes, chemical treatment or landfill or any operation (processing or storage) or activity involving hazardous or inert waste), and;**
- **(B8) Storage and Distribution.**

Specifically related to the following business sectors:

- **Advanced Engineering & Advanced Manufacturing**
- **Renewable Energy Manufacturing**

Providing that:

- **The Development Requirements identified in Table 1 are satisfied, and;**
- **The Conditions in Table 2 are satisfied, and;**
- **Submissions are made to the Local Planning Authority by 31st March 2018.**

Diagram 1: Oakesway Local Development Order Boundary



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Table 1: Development Requirements

Development Requirements	Requirement Reason
<p>Development Design</p> <p><i>Building Design</i></p> <p>(1) A high standard of design and materials will be required where development fronts Warren Road, Winterbotham Avenue, the rail line and estate roads.</p> <p>(2) No new building will be located within 20m of the boundary of the LDO.</p> <p>(3) No new building will be in excess of 12m in height.</p> <p><i>Development Plot Coverage</i></p> <p>(4) All buildings and associated development will be located within the LDO boundary and no building shall be located within 5m of the development boundary plot to allow for appropriate landscaping and planting.</p> <p><i>Energy Efficiency</i></p> <p>(5) All buildings will be designed to ensure energy consumption is minimised and meets the Building Research Establishment's Environmental Assessment Method (BREEAM) "very good" ratings unless the nature of the business prevents this.</p> <p>(6) Developments in excess of 1,000m² floorspace and where the building allows will secure a minimum of 10% of their energy supply from a decentralised and renewable or low carbon source unless the nature of the business prevents this. The following renewable energy sources will be suitable:</p> <ul style="list-style-type: none"> • Photo voltaic panels or tiles • Micro wind turbines • Combined heat and power • Biomass boilers • Ground/air source heat pumps • Solar thermal hot water 	<p>(1)(2)(3)(4)</p> <p>To ensure the high quality physical environment of Oakesway and surrounding area is maintained.</p> <p>(5)(6)</p> <p>To ensure new development is energy efficient.</p>

Development Requirements	Requirement Reason
<p>Surface Water, Sewer Drainage Infrastructure and Flood Risk</p> <p><i>Surface Water Drainage</i> (7) Surface Water Drainage will utilise Sustainable Drainage methods and where possible incorporate habitat creation in the design. All new drainage will be designed to protect and accommodate any existing drainage and sewer infrastructure within the Oakesway site. All new drainage will be designed and constructed to a standard to allow adoption by the relevant infrastructure body.</p> <p><i>Sewer Drainage infrastructure</i> (8) Early consultation with Northumbrian Water Ltd, the Environment Agency and Hartlepool Borough Council, as a minimum, is essential to arrange an appropriate drainage infrastructure as part of any development.</p> <p><i>Flood Risk</i> (9) Any development located in Flood Zones 2 or 3, as defined by the most up to date Environment Agency flood maps, and/or development in excess of 1ha total area will need to be accompanied by a Flood Risk Assessment (FRA), submitted to the Local Planning Authority for consideration. The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account.</p>	<p>(7)(8) To ensure adequate drainage is provided.</p> <p>(9) National Planning Policy Framework, paragraphs 100-104 National Planning Practice Guidance 'Flood Risk & Coastal Change'</p>

Development Requirements	Requirement Reason
<p>Access, Parking and Road Infrastructure</p> <p><i>Access & Parking Provision</i> (10) All new buildings and associated development will be required to be fully accessible by all users by a range of transport, including vehicular, pedestrian and cycling, and have regard to servicing arrangements and highway safety. (11) All new development will be in accordance with the most up-to-date version of “Design Guide & Specification for Residential and Industrial Estates Development” document. The document is available at the following weblink: http://www.hartlepool.gov.uk/downloads/file/610/highways_design_guide_and_specification</p> <p><i>Internal Road Infrastructure</i> (112) All new roads will be constructed to a standard to allow adoption by Hartlepool Borough Council. Early consultation with Hartlepool Borough Council is essential to ensure an appropriate infrastructure is delivered.</p> <p><i>Transport Assessment</i> (13) Any development in excess of the gross internal floorspace thresholds below, will be accompanied by a Transport Assessment, submitted to the Local Planning Authority for consideration:</p> <ul style="list-style-type: none"> • B1 >2,500m² • B2 >4,000m² • B8 >5,000m² 	<p>(10)(11)(12) To ensure newly constructed road infrastructure is of an adequate capacity and quality to allow adoption by the Borough Council.</p> <p>(13) To ensure new development does not impact on existing transport infrastructure.</p>
<p>Landscaping</p> <p><i>General Landscaping</i> (14) High quality landscaping will be required where development fronts Warren Road, Winterbottom Road, the rail line and estate roads.</p>	<p>(14) To ensure the high quality physical environment Oakesway and surrounding area is maintained.</p>

Development Requirements	Requirement Reason																		
<p>Development Generated Noise, Dust, Smell, Vibration and General Disturbance</p> <p>(15) Any buildings shall be constructed so as to provide insulation against internally generated noise, dust, smell, vibration and general disturbance. Early consultation with Hartlepool Borough Council is essential.</p> <p>(16) Unless agreed by the Local Planning Authority, development or associated activities and operations generating noise in excess of the thresholds identified below, as measured at the boundary of the LDO site, will not be permitted through the LDO.</p> <table><tr><th>Boundary</th><th>Time</th><th>Noise Thresholds</th></tr><tr><td rowspan="2">Warren Road</td><td>23:00 to 07:00</td><td>55dB LAeq5min and 65dB LAFmax</td></tr><tr><td>07:00 to 23:00</td><td>75dB LAeq1hr and 86dB LAFmax</td></tr><tr><td rowspan="2">Winterbottom Avenue</td><td>23:00 to 07:00</td><td>55dB LAeq5min and 68dB LAFmax</td></tr><tr><td>07:00 to 23:00</td><td>67dB LAeq1hr and 77dB LAFmax</td></tr><tr><td rowspan="2">Bakers Mead</td><td>23:00 to 07:00</td><td>55dB LAeq5min and 65dB LAFmax</td></tr><tr><td>07:00 to 23:00</td><td>60dB LAeq1hr and 70dB LAFmax</td></tr></table> <p>Early consultation with Hartlepool Borough Council is essential to ensure any new development is in accordance with the noise level threshold.</p>	Boundary	Time	Noise Thresholds	Warren Road	23:00 to 07:00	55dB LAeq5min and 65dB LAFmax	07:00 to 23:00	75dB LAeq1hr and 86dB LAFmax	Winterbottom Avenue	23:00 to 07:00	55dB LAeq5min and 68dB LAFmax	07:00 to 23:00	67dB LAeq1hr and 77dB LAFmax	Bakers Mead	23:00 to 07:00	55dB LAeq5min and 65dB LAFmax	07:00 to 23:00	60dB LAeq1hr and 70dB LAFmax	<p>(15)(16) To protect the residential amenity of nearby residential areas and other Oakesway occupiers.</p>
Boundary	Time	Noise Thresholds																	
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	07:00 to 23:00	60dB LAeq1hr and 70dB LAFmax																	
<p>Outside Storage</p> <p>(17) Outdoor storage of any active material that can be windborne will not be allowed.</p> <p>(18) Areas for outside storage will be appropriately designed to minimise visual impact and be effectively screened from the highway and any public viewpoint.</p>	<p>(17)(18) To protect the residential amenity of nearby residential areas and other Oakesway occupiers.</p>																		

Development Requirements	Requirement Reason
<p>Contamination</p> <p>(19) If any contamination is identified, the development must remove, contain or otherwise render harmless the contamination previous to the development site being occupied. If contamination is found on site, early consultation with Hartlepool Borough Council is essential to ensure any new development deals with any contamination effectively.</p>	<p>(19) To ensure that risk from land contamination to the future users of the land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.</p>
<p>Crime Prevention</p> <p>(20) All developments will be encouraged to meet the principles of “Secured by Design”. (21) Early consultation with Hartlepool Borough Council is encouraged to ensure any new development considers the principles of Secured by Design principles.</p>	<p>(20)(21) In the interests of crime prevention.</p>
<p>Environmental Impact Assessment (EIA)</p> <p>(22) Development considered EIA development, through EIA screening, cannot be delivered through this Local Development Order and must be determined through a planning application.</p>	<p>(22) To ensure any new development is not an EIA development.</p>

Table 2: Planning Conditions

No	Condition	Reason
A	Development Development will be implemented in accordance development requirements set out in Table 1.	To ensure only appropriate development takes place on the site.
B	Surface Water Details for the provision and implementation of surface water drainage, incorporating sustainable urban drainage solutions shall be submitted to and approved in writing by the Local Planning Authority before development commences, and be implemented and managed in accordance with the approved details.	To ensure adequate drainage is provided.
C	Flood Risk Where a Flood Risk Assessment (FRA) is required, the FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. The FRA will be submitted to and approved in writing by the Local Planning Authority before development commences, and be implemented in accordance with the approved details.	To ensure the risk of flooding is reduced and mitigated against.
D	Transport Assessment Where a Transport Assessment is required it will be submitted to and approved in writing by the Local Planning Authority before development commences, and be implemented in accordance with the approved details, including the implementation of any off-site works where required.	To ensure new development does not impact on existing transport infrastructure.

No	Condition	Reason
E	<p>Development Generated Disturbance</p> <p>Outdoor storage of any active material that can be windborne shall take not place. Any windborne material must be stored in an appropriate building.</p>	To protect the residential amenity of nearby residential areas and other Oakesway occupiers.
F	<p>EIA Screening Request</p> <p>A request for an Environmental Impact Assessment (EIA) screening opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (or any subsequent amended legislation) shall be submitted to and assessed by the Local Planning Authority before development commences.</p> <p>Should the screening opinion find the proposed development is EIA development, no development shall be commenced and a planning application will be required.</p>	To ensure any new development is not an EIA development.
G	<p>Changes of Business Type</p> <p>There will be no permitted change of use between use classes and/or to a different land use within the same use class as identified in the Town and Country Planning Use Classes Order 1987 or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that order with or without modification. If a change is proposed, other than to those specific uses mentioned in the LDO, a planning application would be required.</p>	To ensure only appropriate development takes place on the site.

No	Condition	Reason
H	<p>Contamination</p> <p>Prior to the commencement of development the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing by the Local Planning Authority.</p> <p>1) A preliminary risk assessment which has identified (i) all previous uses, (ii) potential contaminants associated with those uses, (iii) a conceptual model of the site indicating sources, pathways and receptors and (iv) potentially unacceptable risks arising from contamination at the site.</p> <p>2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.</p> <p>3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.</p> <p>4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.</p> <p>Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.</p> <p>If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.</p>	<p>The site has been subject to a potentially contaminative land-use. The environmental setting of the site is sensitive as it lies on the Magnesian Limestone, a principal aquifer. This condition will ensure that the risks posed by the site to controlled waters are assessed and addressed as part of the redevelopment.</p>

No	Condition	Reason
I	Time Limit Where development has commenced and not completed after 3 years after the date of commencement, details, including site layout, building design, appearance, access arrangements and a programme of works will be submitted to the Local Planning Authority.	To ensure the future development on the site is not prejudiced.
J	Appropriate Development Any development shall proceed in such a way so as not to prejudice future development sites on Oakesway, with specific regard to ensuring continued access onto the estate road serving the site.	To ensure the future development on the site is not prejudiced.
K	Employment Charter A Targeted Training and Employment Charter will be agreed by the developer and the Borough Council before the development commences on site and be implemented and managed in accordance with the approved details.	To ensure all employment opportunities are explored.

Appendix 1: Monitoring Framework (Period 2015 to 2018)

No	Indicator	Review Trigger	Further Action
(i)	Annual number of businesses locating to Oakesway.	<150 jobs created by 2018	Possible review of the LDO to relax the general design guidance considerations to further incentivise businesses to locate.
(ii)	Annual number of queries for businesses wanting to locate, that do not qualify through the LDO.	Significant number of queries from non LDO land uses that are appropriate on the site.	Possible review of the LDO to allow more/different the land uses other than those already identified.
(iii)	Annual number of developments considered to be unacceptable for design reasons.	Significant number of submissions Consistent “problems” identified with each submission.	Possible review of the LDO to relax identified problems where appropriate.
(iv)	Annual number of developments considered to be Environmental Impact Assessment type development.	Significant number of submissions	Possible review of LDO after an EIA is undertaken and an Environmental Statement considered based on submission trends.
(v)	Annual number of requests to change use class or land use within the same use class.	Significant number of queries	Possible review of the LDO to allow more/different the land uses other than those already identified.