

# London Gateway Logistics Park

Local Development Order 1.5 (2024)



February 2024



## **SCHEDULE 1 – PERMITTED DEVELOPMENT**

### **PART 1 - ERECTION OF BUILDINGS**

#### **Permitted Development**

Development consisting of –

- (a) the erection, extension or alteration of a building within Use Class B8 (storage or distribution);
- (b) the erection, extension or alteration of a building within Use Class B2 (general industry), E(g)(ii) (research and development) or E(g)(iii) (industrial processes);
- (c) the erection, extension or alteration of a building within Use Class, E(g)(i) (offices);

#### **Development not permitted**

Development is not permitted by Part 1 if, in combination with development implemented pursuant to the 2013 LDO –

- (a) that development would result in the total amount of floorspace in Use Class B8 within the Logistics Park Area exceeding 411,439sq.m;
- (b) that development would result in the total amount of floorspace in Use Classes B2, E(g)(ii) and E(g)(iii) within the Logistics Park Area exceeding 7,586sq.m;
- (c) that development would result in the total amount of floorspace in Use Class E(g)(i) within the Logistics Park Area exceeding 3,200sq.m;

#### **Conditions**

Development is permitted by Part 1 subject to the following conditions –

1. any building used for ancillary uses including for the provision of Employee Facilities may be used only for the purposes of undertakings operating within the Logistics Park Area;
2. any retail use within buildings in Use Classes E(g)(i), B2 or B8 shall be ancillary to the main uses of those buildings or other buildings on the same plot and shall not be occupied separately;
3. the total amount of ancillary floorspace shall not exceed 25% of the overall building floorspace;
4. no manufacturing, fabrication or other industrial process shall take place outside the confines of any buildings;
5. prior to the occupation of any built development the infrastructure works identified in the London Gateway LDO Design Code must be practically completed for the relevant plot;

6. the commencement of any phase of any development permitted under this Part must not prejudice the completion of any other phase of development permitted under this Order.

## **PART 2 – CHANGE OF USE**

### **Permitted Development**

Development consisting of a change of use of any building between the use classes set out within Part 1 of this schedule

### **Development not permitted**

Development is not permitted by Part 2 if, in combination with development implemented pursuant to the 2013 LDO –

- (a) the change of use would result in the total amount of floorspace in Use Class B8 within the Logistics Park Area exceeding 411,439sq.m ;
- (b) the change of use would result in the total amount of floorspace in Use Class B2, E(g)(ii) and E(g)(iii) within the Logistics Park Area exceeding 7,586sq.m;;
- (c) the change of use would result in the total amount of floorspace in Use Class, E(g)(i) within the Logistics Park Area exceeding 3,200sq.m;

### **Conditions**

Development is permitted by Part 2 subject to the conditions that –

1. any retail or sales use within any building permitted under this Part shall be ancillary to the main uses of the building only and shall not be carried out for primary retail purposes.
2. the total amount of ancillary floorspace shall not exceed 25% of the overall building floorspace.

## **PART 3 – ASSOCIATED INFRASTRUCTURE**

### **Permitted Development**

Development consisting of –

- (a) the construction, extension, or alteration of roads;
- (b) the construction, extension, demolition or alteration of areas and facilities for vehicle parking and servicing;
- (c) hard and soft landscaping, including the erection, extension, demolition or alteration of fences, gates, walls, securing barriers, security gatehouses and street lighting;
- (d) the construction, extension, demolition or alteration of foul and surface water drainage infrastructure including sewage treatment works, pumps, tanks, conduits, swales, pipes, drains, ditches, channels and ponds;
- (e) the construction, extension, demolition or alteration of vehicle refuelling and washing facilities;
- (f) the construction, extension, demolition or alteration of utilities infrastructure (telecommunications, radio, gas, electricity, water) including any sub-stations or pumping stations;
- (g) the erection, extension, demolition or alteration of CCTV cameras and associated masts; and
- (h) the erection, extension, demolition or alteration of lamp posts and any other lighting masts or infrastructure.

### **Development not permitted**

Development is not permitted by Part 3 if –

- (a) it is not primarily required to serve the development permitted by Parts 1 or 2; and
- (b) in the case of development in paragraphs (f) only, it is not primarily required to serve the development permitted by Parts 1 or 2 or to serve London Gateway Port.

### **Conditions**

Development is permitted by Part 3 subject to the condition that –

1. prior to the bringing into beneficial use of any permanent roads, vehicle parking or vehicle servicing areas the drainage works identified in the London Gateway LDO Design Code must be implemented for the relevant phase.

## **PART 4 – SITE PREPARATION WORKS**

### **Permitted Development**

Development consisting of:

- (a) any operations or engineering necessary for the remediation of land within the Logistics Park Area, including excavation and the construction, extension, demolition or alteration of remediation compounds for the stockpiling, sorting and treatment of excavated materials; or
- (b) any operations or engineering necessary to clear or raise the level of any land within the Logistics Park Area.

## SCHEDULE 2 – GENERAL CONDITIONS

All development permitted by the Order is subject to the following conditions –

1. Nothing in this Order permits any development that is EIA development within Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
2. Prior to the commencement of any development permitted under this Order, details and plans of the proposed development shall be submitted to the local planning authority using the Prior Notification Form together with the appropriate fee as set out below:

<b>Prior Notification Fee Scale</b>		
	<b>Building</b>	<b>Site Infrastructure</b>
Band 1: 0 – 24,999sq.m	£5,870	£1,760
Band 2: 25,000sq.m – 49,999sq.m	£7,770	£2,480
Band 3: 50,000sq.m – 74,999sq.m	£9,680	£2,900
Band 4: 75,000sq.m. – 99,999sq.m	£11,730	£3,520
Band 5: 100,000sq.m +	£13,640	£4,090
Non-Material and Minor Material Amendments Fee = £735		

3. No development permitted by this Order shall commence prior to the Confirmation Date.
4. Development to which condition 3 applies must be Implemented within one year of the Confirmation Date and may be completed thereafter, whether or not following its implementation in accordance with condition 3, this Order should expire, or otherwise be revoked or revised.
5. Prior to the commencement of any phase of development in the Logistics Park Area any contaminated land in the area of that phase shall be remediated under Part 4 in accordance with the London Gateway LDO Code of Construction Practice;
6. No development may take place under this Order except in accordance with:
  - (a) the London Gateway LDO Design Code;
  - (b) the London Gateway LDO Code of Construction Practice;
  - (c) the London Gateway LDO Ecological Management and Mitigation Plan; and
  - (d) the London Gateway LDO Travel Plan
7. No more than 415,000sq.m of floorspace permitted within the Logistics Park Area, excluding floorspace within buildings with a direct rail connection, may be occupied prior to the practical completion and commissioning of the single common user siding, permitted under the London Gateway Logistics and Commercial Centre Order 2007 (SI 2007/2657), within



the Logistics Park Area so that it is available for use to service the development, together with hardstanding and facilities that can accommodate the rail freight movements generated by that development.

8. All operational vehicular traffic shall use the London Gateway Access Road and no other means of vehicular access to the Logistics Park Area shall be made available for this purpose other than additional or alternative provision for access by emergency vehicles or buses.
9. No more than 40,000sqm of floorspace permitted within the Logistics Park Area shall be occupied as a High Intensity Parcel Delivery Service.
10. On any particular plot or infrastructure corridors, landscaping on or along that plot or corridor shall be completed in the first planting season following the first operational use of that plot or corridor.

### SCHEDULE 3 – INTERPRETATION

1. Terms used in this Order have the following meanings:

<b>the 2013 LDO</b>	means the London Gateway Logistics Park Local Development Order 2013;
<b>alteration</b>	includes the construction of any mezzanine floor;
<b>ancillary floorspace</b>	any floorspace within buildings in use classes E(g)(i), E(b), E(d), E(f) and F2(a) that is ancillary to the main use of those buildings or on the same plot and not occupied separately shall be classified as falling within the main use of that building i.e. B2, B8, E(g)(ii) or E(g)(iii) and will not contribute to the total E(g)(i), E(b), E(d), E(f) and F2(a) floorspace permitted under this Order;
<b>building</b>	excludes structures housing plant or machinery such as pumping stations, kiosks and tanks;
<b>Confirmation Date</b>	means the date on which the local planning authority has confirmed that the proposed development falls within the scope of this Order or, failing such a confirmation or refusal by the local planning authority, the day after 28 days from the submission of the Prior Notification Form;
<b>the Employee Facilities</b>	means social, care or recreational facilities provided for employees of undertakings within the Logistics Park Area, including crèche facilities provided for the children of such employees;
<b>High Intensity Parcel Delivery Service</b>	means that the primary activity of the business is the storage, packaging and delivery of parcels to residential and business users for and on behalf of multiple independent sellers as distinct from a distribution centre whether the packaging and distribution is consequential to the retail sale of their own goods or goods for which they have a franchise
<b>implemented</b>	means the carrying out of a material operation as defined in Section 56(4) of the Act but excluding site clearance, demolition of or within existing buildings, the removal, diversion or installation of any pipeline, associated structure or associated facilities, archaeological investigation, investigation for the purposes of assessing ground conditions, works to existing roads including the provision of haul roads and temporary routes within the site, the diversion creation or modification of public rights of way (if any), and the erection of means of enclosure for the purpose of site security;
<b>the Logistics Park Area</b>	means the area shown on the Plan as within the LDO Boundary;
<b>the London Gateway LDO Code of</b>	means the London Gateway Logistics Park Local Development Order Code Of Construction Practice attached to this Order as <b>Appendix 2</b> ;

<b>Construction Practice</b>	
<b>the London Gateway LDO Design Code</b>	means the London Gateway Logistics Park Local Development Order Design Code attached to this Order as <b>Appendix 3</b> ;
the London Gateway LDO Ecological Mitigation and Management Plan	means the London Gateway Logistics Park Local Development Order Ecological Mitigation and Management Plan attached to this Order as <b>Appendix 4</b> ;
<b>the London Gateway LDO Travel Plan</b>	means the London Gateway Logistics Park Local Development Order Travel Plan attached to this Order as <b>Appendix 5</b> ;
<b>London Gateway Port</b>	means the port development permitted by the London Gateway Port Harbour Empowerment Order 2008 (S.I. 2008/1261) and includes the port development as it may be differently permitted from time to time;
<b>the London Gateway Access Road</b>	means the road constructed to provide access to the Logistics Park Area and London Gateway Port as permitted by planning permissions with numbers 10/50182/TTGFUL granted in November 2010 and 11/00362/TTGCND (or any future consent for that access road in predominantly the same form);
<b>the Plan</b>	means the Plan attached to this Order at <b>Appendix 1</b> , defining the LDO area;
<b>the Prior Notification Form</b>	means the form at <b>Appendix 6</b> .

2. In this Order any reference to 'floorspace' means gross internal floorspace unless otherwise stated. 'Gross Internal Floorspace' is equivalent to 'Gross Internal Area' as calculated in accordance with the *RICS Code of Measuring Practice* (sixth edition). Mezzanine floors shall contribute towards overall Gross Internal Floorspace for the purposes of this Order unless they are solely to provide for safe and efficient access to stacked or stored goods.