

Milton Park Local Development Order 2024

Adopted December 2024



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Local Development Order

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1.1 LDO area

1.1.1 The development permitted by this Order relates only to the area edged red on LDO Plan 1 and the Zones identified on LDO Plan 2 contained in Appendix 1 of this Order and shall be regulated by the terms and provisions of this Order including the Conditions contained in Appendix 3.

1.2 Definitions

1.2.1 For the purposes of the Milton Park LDO:

- **“Ancillary Residential Accommodation”** is serviced accommodation to support existing businesses and proposed businesses within the LDO area.
- **“Conditions”** are the conditions set out in Appendix 3
- **“Development Plot”/ “Plot”** – refers to the development location within the LDO Area as defined on the Site Location Plan by a red line.
- **“Employment Uses”** are uses that make a contribution to the number or range of job opportunities at Milton Park and predominantly come within Use Classes B2, B8 and E(g) of the Use Classes Order 1987 (as amended) and a Hotel, car showrooms and roadside uses.
- **“Floor Space”** in all cases refers to gross internal area (GIA).
- **“Minor Operational Development”** is development which does not create any new floorspace and falls within the list of development set out in Section 1.7.
- **“Neighbourhood Centres”** are areas identified in the Design Guidance (Section 2) as areas to encourage greater social interaction and activity.
- **“Other Uses”** are uses which directly support the viability and sustainability of the business park and are limited in their scale to ensure their main purpose is to complement and support the businesses at Milton Park and their staff, customers and visitors to include the following: small scale retail, limited serviced accommodation, healthcare and crèche facilities, recreational and fitness facilities, and road side uses (Table B: Permitted Uses in the LDO Area).
- **“Tall Buildings”** are buildings above 18.5 metres high, measured from existing ground level (A.O.D) (LDO Plan 3 Building Heights).

1.3 Permitted Development

1.3.1 Development is permitted under this Order where it is in accordance with the Defined Parameters (Table A) and Permitted Uses (Table B).

1.3.2 Uses that are not primarily employment generating uses, are not permitted by this Order, with the exception of “Other Uses” (as defined in Section 1.2) directly supporting the vitality and sustainability of the business park and the objectives of the Enterprise Zone.

1.4 Development parameters

1.4.1 Development will only be permitted within the LDO area (other than through separate planning permission), where it is within the defined development parameters set out in Table A:

Table A: LDO Development parameters

Parameter	Limitations	Exceptions	Reasons
Parameter 1 Total floor space in LDO area	Not to exceed 390,000 sq m	None	To control the overall quantum of floorspace. Impacts of greater floorspace would need to be assessed by planning application.
Parameter 2 Maximum building height Parameters (LDO Plan 3),	<p>Maximum building heights, measured from existing ground level (A.O.D) as identified on LDO Plan 3 “Building Heights Parameter Plan”.</p> <p>Roof plant is included within the maximum height parameter, other than where expressly excluded (as shown on LDO Plan 3)</p> <p>Where plant is allowed in addition to the maximum building height, it is limited to 3 metres in height.</p> <p>No building to exceed 120 metres in length.</p> <p>No building to exceed 45 metres in depth.</p>	None	To control visual and amenity impact, neighbouring residential area and the setting of the Milton Conservation Area.

Parameter 3 Kelaart's Field (MP9) Scheduled Monument fringe area (LDO Plan 2)	Only soft landscaping required for the screening of development is permitted in the fringe area of SAM OX250 as defined on the LDO area plan.	None.	To mitigate visual impact of development and protect the feature of archaeological importance.
Parameter 4 Moor Ditch development buffer	Development is not permitted within 10 metres of the bank top of Moor Ditch watercourse, other than soft landscape works and habitat creation (see also Informative 5). The course of Moor Ditch is identified on the LDO Plans.	None.	To protect the ecological interest of the existing watercourse, and for flood management.
Parameter 5 Parking	Compliance with Oxfordshire County Council Parking Standards October 2022 or any other car parking standards adopted by the Local Planning Authority or Local Highway Authority during the life of the LDO.	None	In the interests of highways safety and promotion of sustainable travel options.
Parameter 6 Decked parking	Decked parking must not exceed three levels (including ground level)	None	In the interests of visual impact.

Parameter 7 Biodiversity Net Gain	All development including new floorspace, or other development of previously undeveloped land, shall achieve a minimum 10% net gain in biodiversity, or such alternative standard as may subsequently be required by legislative requirements or local and/or national policy.	Minor operational developments	To improve biodiversity in line with the requirements of local and national policy.
Parameter 8 Green infrastructure (existing)	No development other than works for the improvement of existing green infrastructure (including, strategic boundary planting, hedgerows, wildlife ponds, and other soft landscaping is permitted within the Landscape Zone (LDO Plan 2 and LDO Plan 3).	None	To retain a strong framework of green infrastructure in the LDO area, providing biodiversity, visual and recreational benefits to retain a strong sense of place.
Parameter 9 Green Infrastructure (new)	No development other than works for the provision of new green infrastructure (including strategic boundary planting, hedgerows, wildlife ponds, and other soft landscaping is permitted. within the Landscape Zone (LDO Plan 2 and LDO Plan 3).	None	To enhance the green infrastructure, biodiversity, visual appearance and recreational benefits of the LDO area.

1.5 Permitted Uses

1.5.1 The following table sets out the use classes that are permitted and are not permitted under the Milton Park LDO (with reference to the Use Classes Order 1987 as amended). This table must be read in conjunction with the development parameters set out in Table A.

1.5.2 Other Uses permitted by this order (as defined in section 1.2) are limited to a maximum of 39,000 sq m in total (which is approximately 10% of the total floorspace permitted by this LDO).

Table B: Permitted Uses in the LDO area

Uses permitted	Use Category (See Section 1.2)	Specific limitations	Specific exclusions
B Class			
B2 General industrial	Employment Use	<p>Not permitted in Zones B and C, as this use is not appropriate close to residential areas or within Zones where residential uses are permitted, with the exception of the extension of existing B2 uses within the established development plot</p> <p>B2 uses are not permitted in Tall Buildings</p> <p>B2 uses are not permitted in Neighbourhood Centres.</p>	<p>Any waste processing or handling facility.</p> <p>Any uncovered industrial facility.</p>
B8 Storage and distribution	Employment Use	<p>Not permitted in Zones B and C, as this use is not appropriate close to residential areas or within Zones where residential uses are permitted, with the exception of the extension of existing B8 uses within the established development plot</p> <p>B8 uses are not permitted in Tall Buildings.</p> <p>B8 uses are not permitted in Neighbourhood Centres.</p>	<p>Uncovered storage, with the exception of storage of motor vehicles.</p>

Uses permitted		Specific limitations	Specific exclusions
C Class			
C1 Hotels	Employment Use	Maximum 8,000 sq m in total of new floorspace including any ancillary conference facilities.	
C2 Residential institutions	Other Uses	<p>Private health care only, subject to a maximum 15,000 sq m in total.</p> <p>Only permitted in Zones B and C as healthcare uses are only considered to be appropriate adjacent to the existing residential areas neighbouring the LDO area and where B2 (General industrial) and B8 (Storage and distribution) uses are not permitted.</p>	Other C2 uses.
			C2A Secure residential institutions
			C3 Dwelling houses
			C4 Houses in Multiple Occupation
Class E			

Class E (a) Display or retail sale of goods, other than hot food.	Other Uses	Subject to limitations for Other Uses (paragraph 1.5.2). Not to exceed 3,900 square metres in total Maximum of 500 sq m per individual unit.	Sale of comparison goods.
Class E(b) Sale of food and drink for consumption (mostly) on the premises	Other Uses		
Class E(c) Provision of: E(c)(i) Financial services E(c)(ii) Professional services (other than health or medical services), or E(c)(iii) Other appropriate services in a commercial, business or service locality	Other Uses		
Class E(d) Indoor sport, recreation or fitness	Other Uses	Subject to limitations for Other Uses (paragraph 1.5.2) and no more than one indoor leisure facility operating at any time ¹ and not to exceed 3,020 sq m (GIA) in total.	
Class E(f) Creche, day nursery or day centre (not including residential use)	Other Uses	Subject to limitations for Other Uses (paragraph 1.5.2).	

¹ At the time of adoption of this Order Building 16 and 17 Croft Drive, Milton Park has an indoor leisure use.

<p>Class E(g) Uses which can be carried out in a residential area without detriment to its amenity:</p> <p>E(g)(i) Offices to carry out any operational or administrative functions</p> <p>E(g)(ii) Research and Development of products of services</p> <p>E(g) (iii) Industrial processes.</p>	Employment Use		
Sui generis use			
Car sales	Employment Use	This use is only permitted in MP8 (Zone A), subject to a maximum of 10,000 sq m in total.	Car sales are not considered to be an appropriate use within the rest of the LDO area.
Serviced accommodation	Other Uses	This use is only permitted in Zones B and C (on the basis it is an appropriate use adjacent to residential areas and within Zones where B2 General industrial and B8 Storage and distribution uses are excluded) and subject to a maximum of 75, self-contained accommodation units.	Use of this temporary accommodation for permanent place of residence (Use Class C3 dwellinghouses).

Roadside Services	Employment Use	Only in area MP5 (Zone A).	MP5 (Milton Interchange) is allocated under Development Policy 19 of the adopted Local Plan 2031 Part 2 for the provision for lorries and roadside services, given its proximity to the strategic road network (A34).
			Other sui generis uses.

1.6 Change of Use

1.6.1 Change of use of existing floor space is permitted provided it is in compliance with the development parameters and permitted uses set out in Tables A and B, the Design Guidance (Appendix 2), and the Conditions (Appendix 3).

1.7 Minor operational development

1.7.1 In addition to the provisions of the Town and Country Planning (General Permitted Development) England Order 2015 or its successor, the LDO permits minor operational development provided it is within the parameters of the Order.

1.7.2 Minor operational development permitted by the Order is:

- Changes to external appearance of buildings, including recladding, alterations to doors and windows
- Changes to access to buildings
- Installation of plant or small-scale renewable (excluding wind turbines²) and zero/low carbon energy development
- Reorganisation of vehicle parking
- Provision of cycle parking
- Provision of roadside infrastructure for public transport
- Provision of covered bin stores
- Provision of mechanical and electrical and other plant with the curtilage of the building(s) to be served
- Electric vehicle charging infrastructure and associated technology.
- Provision of ground level storage tanks within the curtilage of the building(s) to be served
- Provision of public art in the public realm
- Provision of external recreation facilities in the public realm, including benches and other street furniture, and outdoor, communal fitness equipment
- Hard and soft landscaping works within development plots and in the public realm
- Street lighting
- Low level lighting e.g. bollard lights, of footpaths and cycle paths and in the public realm.

1.8 Design Guidance

1.8.1 Development shall be designed in accordance with and follow the Milton Park Design Guidance (Appendix 2). This will include building design, quality, landscaping, materials, site layout and accessibility.

² Wind turbines are excluded as they would require specific impact assessment therefore separate planning permission would be required.

1.9 Demolition

1.9.1 The LDO grants planning permission for demolition of existing development required to facilitate development permitted by this Order. This is subject to compliance with the planning conditions, which include the requirement for a construction method statement to be submitted to and approved in writing by the local planning authority prior to development (including demolition works).

1.10 Planning Conditions

1.10.1 Development permitted by this LDO shall be subject to the conditions set out in Appendix 3.

1.10.2 Where conditions require further details to be submitted to the Local Planning Authority (pre-commencement or pre-occupation), a planning application seeking approval of details reserved by condition is required together with the requisite application fee.

1.10.3 The Local Planning Authority will determine these applications, or request further time (explaining why this is necessary), in writing or by email, within 28 days of receipt (allowing for appropriate consultation).

2. Pre-development Notification

2.1 Pre-development Notification Form

2.1.1 Notification of proposed development pursuant to this Order must be made to the Local Planning Authority prior to commencement of development using the Milton Park LDO Pre-development Notification Form (Appendix 5). The notification must also be copied to the Local Highway Authority (Oxfordshire County Council).

2.1.2 As well as the requisite form and fee, pre-development notifications must include the following information (other than for proposals for minor operational development, which only require items marked *):

- Site location plan (scale 1:1250 or 1:2500) showing the area of the Development Plot to be developed or redeveloped outlined in red which should include the whole of the proposed curtilage and land required for the laying out of means of access and landscaping*
- Existing Site Plan, including ground levels (A.O.D) (1:500 or 1:200)
- Block plan (1:500 or 1:200)
- Floor plans (1:50 or 1:100)
- Elevations (1:50 or 1:100)
- Compliance Statement explaining how the proposal complies with the parameters of this LDO*
- Biodiversity Statement, providing an outline strategy covering options for achieving 10% net gain following this sequential approach:
 - a) Maximising opportunities on the development plot;
 - b) Identifying opportunities elsewhere within the LDO area, which may include utilising credits for habitat already delivered;
 - c) Financial contribution to other off-site biodiversity scheme which will have the effect of achieving 10% net gain overall in relation to the proposed development whether or not taken in combination with the above sequential priorities.
- A tree survey and impact assessment, and tree protection measures

2.1.3 The Local Planning Authority will confirm in writing or by email within 10 working days of receipt of the completed Pre-development Notification Form that:

- a) the proposed development is permitted and therefore can proceed without the requirement for a planning application, or
- b) whether a separate planning application is required as the proposed development is beyond the scope of the Order, or
- c) further information is required, specifying the required details and reasons for them. The Local Planning Authority will have an additional 10 working days from receipt of the additional information to confirm its decision in writing or by email.

2.1.4 Failure of the Local Planning Authority to respond in writing or by email in accordance with paragraph 2.1.3 within this period will be deemed as confirmation that the proposal is compliant with the provisions of this Order.

3. Duration, monitoring and review

3.1 Duration

3.1.1 This Order takes effect from the date of adoption and expires on 20 December 2041.

3.2 Review

3.2.1 The development parameters, permitted uses and Design Guidance shall be reviewed at least every 5 years by the Local Planning Authority from adoption of the Order to ensure that objectives of the LDO are being achieved. The reviews will be done in partnership with local stakeholders and identify whether any of the technical studies need to be refreshed because of changes in material considerations.

3.2.2 Proposed revisions or amendments to the Order following review by the Local Planning Authority will be subject to the consultation procedures set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (or its successor).

3.3 Revocation etc. of the LDO

3.3.1 The Local Planning Authority may exercise its powers to revoke or revise, amend or withdraw the Order as may be appropriate (pursuant to section 61A [6] and Schedule 4A of Town and Country Planning Act 1990) if it is satisfied that the Order has consistently failed to meet the objective of the LDO as set out in the Statement of Reasons, and it is considered that amendment or revisions to the Order would not overcome this or if a change in material considerations require the Order to be revoked, amended or revised.

3.3.2 Should the Local Planning Authority determine that the Order, in part or in whole, should be revoked or amended or revised, it will give the landowner(s) within the LDO Area for the time being a minimum of twelve months' notice prior to any such revocation, amendment or revision.

3.3.3 In pursuance of the Town and Country Planning Act section 61D, development that has commenced lawfully before this Order is revoked, amended or revised (as the case may be), may be completed notwithstanding that the effect of the revocation, amendment or revision is to withdraw permission for the same.