Local Development Orders as a Proactive Planning Tool

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Swindon Borough Council
Format

• This is Swindon

• Swindon’s Local Development Order Experience

• Planning Advisory Service Analysis of LDOs

• Swindon LDOs: The Next Generation

• Summary of Pros and Cons of LDOs
This is Swindon

Planned Growth within Swindon Borough Local Plan (2026)

• An additional 22,000 dwellings by 2026 – (current housing stock is 90,000)

• 77.5 hectares of new employment land

• 19,600 increase in jobs
What is an LDO?

A Local Development Order (LDO) automatically grants planning permission for the type of development specified in it (subject to Conditions), thereby removing the need for a planning application to be made for that development.
Purpose of LDOs

- Deregulatory Tool
- “Frontloading” the process
- De-risking the process
- Reducing the costs of development
- “Nudge” affect
Swindon’s LDO Experience (1)
Swindon’s LDO Experience (2)

LDOs at Key Employment Areas.

Goal: To simplify the planning process in order to:

• help bring redundant employment sites back into use;
• provide greater flexibility for existing businesses to expand; and
• Provide an incentive for businesses to relocate to Swindon.
Swindon’s LDO Experience (3)

“The LDO has given MINI Plant Swindon the opportunity to innovate, grow and adapt to changing market opportunities, with a more simplified approach to planning.” – BMW

“A Local Development Order which allows the efficient implementation of non contentious development, within defined parameters, would be a real benefit to all businesses in Swindon.” – Honda

“This is great news for businesses looking to invest in Swindon” – Inception Business Technology Ltd
Planning Advisory Service
Analysis of LDOs

“Report into the use, value for money and effectiveness of Local Development Orders in implementing Local Authority objectives”

Published as a Rough & Ready Report – January 2014
# Planning Advisory Service Analysis of LDOs

<table>
<thead>
<tr>
<th>Development Type</th>
<th>No of LDOs</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Extension/ Alterations</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>Residential New Build</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Employment</td>
<td>52</td>
<td>80</td>
</tr>
<tr>
<td>Agriculture</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Mixed Use</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Energy</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Retail</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>65</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>
Planning Advisory Service Analysis of LDOs

Of the adopted LDOs:

- 15 (79%) are employment related, allowing minor extensions or specific B type uses;
- Two (11%) are retail related allowing change of use from retail to other uses
- Two (11%) are householder related
- 7 of the LDOs were adopted for use within 5 EZs;
- All the LDOs were adopted between Feb 2011 and Oct 2013
Planning Advisory Service Key Lessons (1)

“There is no one right way to produce an LDO; no one objective for doing so. An LDO is very much a tool for dealing with local issues and priorities.”

“LDOs are seen as a very positive marketing tool. This benefit should not be under-estimated; it helps Councils (and planning services) show that they are being proactive to secure growth.”

“The effectiveness of LDOs in simplifying planning is being hindered, to an extent, by the notification and consent regimes put in place and the use of conditions.”

“LDOs are good for partnerships and facilitate a more collaborative approach between industry, local authorities and local needs/drivers for economic growth and development.”
Planning Advisory Service Key Lessons (2)

“Whilst the majority of Councils who have not prepared an LDO say they aren’t thinking of doing so, the majority of those who have prepared them would do so again.”

“The potential loss of fee income does not appear to be a defining consideration for Councils in their decision to adopt an LDO or not.”

“Councils have been rather conservative in their approach to LDOs so far. With the upturn in the economic climate, it might be a good time for them to explore more innovative, less controlling ways to use LDOs, perhaps as part of wider consideration about future role of planning as a proactive economic development and regeneration tool.”
Swindon LDOs: The Next Generation

• Most current LDOs focus on low impact development: “Don’t sweat the small stuff”
• The next generation of LDOs can be bolder
• Swindon’s future LDO plans...
Swindon Housing LDO (private land)
Swindon Low Carbon LDO

Purpose: to facilitate new renewable and low carbon infrastructure developments

Low Carbon LDO

Hydrogen

Micro-generation

Standalone Solar
## Summary: Pros and Cons of Housing LDOs

<table>
<thead>
<tr>
<th>Pros</th>
<th>Cons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intelligent Regulation</td>
<td>Increased burden on LPAs</td>
</tr>
<tr>
<td>Collaborative approach</td>
<td>Reduced planning fees</td>
</tr>
<tr>
<td>Culture change</td>
<td>Does not address viability fundamentals</td>
</tr>
<tr>
<td>Devolution of power</td>
<td>'planning pyramid‘ or planning maze?</td>
</tr>
<tr>
<td>Certainty / Flexibility</td>
<td>Not suitable for smaller sites</td>
</tr>
<tr>
<td>More timely decision</td>
<td>The unknown</td>
</tr>
<tr>
<td>Benefits for New Build Housing</td>
<td></td>
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<tr>
<td>Marketing Benefits</td>
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LDOs as a Creative and Proactive Planning Tool

NPPF Core planning principles: Planning should:

“not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places…”

“proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs”