



Report To: Planning Portfolio Holder
Lead Officer: Jo Mills

10 February 2016

Implications of Creating a Great Abington Local Development Order/Neighbourhood Development Order

Purpose

1. To work with Great Abington Parish Council to explore the potential for a Local Development Order (LDO) or Neighbourhood Development Order (NDO) within the Great Abington Former Land Settlement Association Estate.
2. This is not a key decision

Recommendations

3. It is recommended that the Planning Portfolio Holder (PPH):
 - a) Agrees that officers work with the Great Abington Parish Council to explore an LDO for Great Abington LSA, prior to public consultation.
 - b) Agrees that officers explore with Great Abington Parish Council the possibility of an NDO as an alternative to an LDO for the Great Abington Former Land Settlement Association Estate (LSA).

Reasons for Recommendations

4. To provide a mechanism to manage suitable development within the LSA

Background

5. A number of planning applications for residential annexes within the Great Abington SLA area have been submitted over the last 12 months. Great Abington Parish Council is keen to investigate options for managing development within the Great Abington Former Land Settlement Association Estate, an LDO or an NDO could be a mechanism for achieving this.
6. The Parish Council previously held a meeting with local residents to discuss the potential of exploring a suitable mechanism with the Council to managed development in the LSA. In light of recent applications and subsequent communications with officers they have again expressed their to explore the potential for an LDO or NDO

Local Development Orders

7. Local Development Orders were introduced with the Planning and Compulsory Purchase Act 2004 and allow local authorities to extend permitted development rights

for certain forms of development with regard to a relevant local development document. LDOs require to be in general conformity with the Development Plan.

8. The LDO covers a defined area and involves formal consultation with residents in that area on a set of aims, suitable forms of development and likely conditions.
9. They require approval of the Council and the Secretary thereafter as part of the adoption process.

Neighbourhood Development Order

10. Neighbourhood Development Orders (NDOs) are similar to LDO's in that they must be generally consistent with the Development Plan, require public consultation and will stipulate types of development suitable and conditions for the defined area.
11. They differ from an LDO in that they are prepared by the Parish Council after formal designation of the defined area as a neighbourhood area.
12. NDOs do not take effect unless there is a majority of support in a referendum of the neighbourhood. They also have to meet a number of conditions before they can be put to a community referendum and legally come into force. These conditions are to ensure plans are legally compliant and take account of wider policy considerations (e.g. national policy).
13. Conditions are:
 - they must have regard to national planning policy
 - they must be in general conformity with strategic policies in the development plan for -the local area (i.e. such as in a core strategy)
 - they must be compatible with EU obligations and human rights requirements.
14. An independent qualified person then checks that a neighbourhood development plan or order appropriately meets the conditions before it can be voted on in a local referendum. This is to make sure that referendums only take place when proposals are workable and of a decent quality.
15. Proposed neighbourhood development plans or orders need to gain the approval of a majority of voters of the neighbourhood to come into force. If proposals pass the referendum, the local planning authority is under a legal duty to bring them into force.

Next steps

16. The next steps in this process would be to meet with the Parish Council to decide whether to pursue an LDO or NDO, clarify their aims, define the area and develop a development criteria before proceeding to public consultation.
17. We will then report back to the Planning Portfolio Holder on the next steps and any further implications of the preferred option.

Implications

18. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered:

Financial

19. Should the decision be reached that an LDO is the most appropriate route there is no financial impact as the skills can be found in house to develop the Order.
20. However, should the NDO options be agreed the Parish can submit a bid to Government for a grant to help fund the work associated with the NDO. In addition as this process requires a referendum and a public examination SCDC could receive funding up to £25,000 for carryout and procuring work in association with this Order. However, it should be noted that this money has not been confirmed for 2016/17 and could reduce.

Legal

21. None.

Staffing

22. In both options additional work will be carried out by existing officers to facilitate any Order.

Risk Management

23. Risks will be managed through the Planning and New Communities Risk Register and in particular risk associated with meeting the competing demands of the service.

Equality and Diversity

24. None

Climate Change

25. None

Effect on Strategic Aims

26. **Aim 1 - Engagement:** Engage with residents, parishes and businesses to ensure we deliver first class services and value for money.

An improved and quality pre-application advice service will help deliver a first class and value for money planning service.

Aim 2 - Partnerships: Work with partners to create opportunities for employment, enterprise, education and world-leading innovation

Aim 3 - Wellbeing: Ensure that South Cambridgeshire continues to offer an outstanding quality of life for our residents

27. The delivery of high-quality development will help improve the quality of life for residents.

Background Papers: Appendix 1 (Local Development Orders/Neighbourhood Development Orders (Differences))

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