<table>
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<th>Local Development Order</th>
<th>Simplified Planning Zones?</th>
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<td>Local Development Orders (LDO) are made by local planning authorities and give a grant of planning permission to specific types of development within a defined zone. The aim being to streamline the planning process by removing the need to submit a planning application to the local authority. LDO’s act like permitted development rights, by giving a grant of planning permission for specific development proposals or classes of development in a particular area. This can include changes of use, small-scale developments such as changes to signage or to shop fronts or can permit entire new buildings. They are particularly useful in areas that have defined boundaries, such as masterplanning areas, town centres or Enterprise Zones. The purpose of them is to save time and cost for the developer, resulting in defined areas being more attractive for investment purposes. Paragraph 199 of the National Planning Policy Framework (NPPF) states that local authorities should consider using LDO’s to: “relax planning controls for particular areas or categories of development, where the impacts would be acceptable, and in particular where this would promote economic, social or environmental gains for the area, such as boosting enterprise.”</td>
<td>Simplified Planning Zones were superseded when Planning Policy Guidance was replaced by Planning Policy Statements and in turn, by the NPPF. LDO’s basically replace them, along with Neighbourhood Development Orders and Community Right to Build Orders. Both Neighbourhood and Community Right to Build Orders are similar to LDO’s but are neighbourhood/community focused. They can be used to grant planning permission for development in a Neighbourhood area. The difference between the two is that Neighbourhood Development Orders are proposed by ‘qualifying bodies’ which are town or parish councils (or a designated neighbourhood forum) and Community Right to Build Orders can be prepared by community organisations, not just a town or parish council (or neighbourhood forum). Why is this related to EIA? With LDO’s working most effectively in zones, such as Enterprise Zone’s and through a Masterplanning process. Therefore there is the potential for larger schemes to come forward through this process [of automatically granting planning permission]. This raises issues in terms of new development having the potential to cause Significant environmental impacts and the concern that these impacts will ‘by-pass’ the formal scrutiny that is the backbone of the planning process.</td>
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As previously stated, LDO’s are in theory a form of permitted development in that they give a grant of planning permission to specific types of development within a defined area.

Much in the same way that The Town and Country Planning (General Permitted Development) Order 1995 (and subsequent amendments) states that development is not permitted [by this Order] if an application for planning permission for that development would be a Schedule 1 application or a Schedule 2 application within the meaning of the Environmental Assessment Regulations, the same applies to EIA Development in LDO areas.

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (Section 29) explains the process to be undertaken in relation to LDO’s and EIA.

In summary, the local planning authority shall not make a LDO unless they have adopted a screening opinion or the Secretary of State has made a screening direction. This applies to Schedule 2 developments. If an Environmental Statement (ES) is required, then the local planning authority shall not make a LDO which would grant planning permission for EIA development unless an environmental statement has been prepared in relation to that development; and the authority has first taken the environmental information into consideration and they state in their decision that they have done so.

Schedule 1 developments would require an automatic ES and therefore a planning application would need to be submitted removing the benefits of the LDO process.

The LDO procedure is shown in the figure below.

**Summary**

While an LDO is an effective tool for allowing developments to come forward which are in general accordance with the criteria outlined within the Order, the developments are still subject to the EIA screening process. Where an ES is required to assess the potential Significant environmental effects of a development then the local authority must take the findings of the ES into consideration prior to any decision being made. In summary, if a development in an LDO area is found to require an ES, then the normal planning application process should be followed, to ensure any planning decision is legally robust in terms of the appropriate statutory consultation procedure and that the technical information has been properly considered.

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