

Neighbourhood Development Order Guidance Note 4

Neighbourhood Development Order Project Ideas

August 2013



Neighbourhood Development Orders are a relatively new legislative tool. They are flexible and consistent with local determination, part of a move to reduce bureaucracy and redefine the issues where planning really makes a contribution to neighbourhoods.

This guidance note sets out some of the ways in which you can use your Neighbourhood Development Order and highlights the circumstances or objectives when you might want to consider a development order.

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The following project ideas/objectives can form the basis of your Neighbourhood Development Order (NDO), though you may have other ideas in mind as the list is by no means exhaustive:

- Vitality;
- Employment;
- Design and local residential character;
- Conservation;
- Renewable energy;
- Innovation and regeneration;

Vitality

Likely to be of interest to: town councils

This objective is only likely to be of relevance to the county's town councils as there are few retail facilities in rural areas and, in any event, these generally serve to meet both daily 'top-up' needs and the requirements of those who are unable to travel further afield.

Maintaining the attractiveness of town centres as destinations for shopping, business and entertainment is a key spatial objective across the country, hence national planning policy contained in the National Planning Policy Framework continues with the approach of the now defunct PPS4 by advising local planning authorities to direct retail development towards town centres in the first instance.

This is important because recent closures of both major chain stores and local businesses have impacted on the viability of remaining businesses in Hereford and the five market towns and this decline may soon affect the vitality of retail streets.

Traditional town centre areas can be given a regeneration boost through the planning system by permitting a wider range of uses to occupy premises without the need for planning applications through a NDO which identified, for instance, an area within which changes of use could occur without planning permission. The order can specify changes of use that would be desirable and exclude those that may be less desirable over the long-term.

The benefits for businesses from allowing more flexibility in changes of use include:

- Creation of opportunities for relocation or development in available town centre locations either on a long term or temporary basis;
- Evolution of existing businesses within their current premises;
- Opportunities for community-based organisations and enterprises to occupy premises, maintaining them in productive use whilst ensuring activity in town centres is maintained;
- Speed of change - no procedural delays associated with making an application;
- Certainty of outcome for a prospective tenant, and justification for investment in the premises by landlords.

Town centre management organisations could play a role in managing and monitoring the implementation of the NDO and you could accompany the order with detailed guidance and conditions and make it time limited.

Employment

Likely to be of interest to: town and parish councils

This theme is more likely to appeal to town councils, too. However, some of Herefordshire's larger rural settlements, namely Shobdon, Pontrilas and Moreton-on-Lugg include substantial areas of employment land and buildings and so there may be scope for the respective parish councils to deal with employment issues or capitalise on potential rural diversification projects through the preparation of a development order.

The economic downturn has had a significant impact on businesses and in turn business parks throughout the UK. Existing businesses are finding it difficult to move to new premises, thus precluding the possibility of expansion in the short-term, many units remain unoccupied, new developments are struggling to progress and less desirable premises have been vacated with two consequences; investment in maintenance is cut off and the area's decline is accentuated.

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Furthermore, the pressure on employment land and buildings from other uses jeopardises opportunities for a pick up in the future.

Your NDO could provide an incentive for increased occupation of specific employment areas by providing greater scope for flexible use of buildings and greater responsiveness to the needs of businesses. Investment in vacant premises could be supported by an NDO which allowed changes of use or additional floorspace to be created above current permitted development, within limits that are defined by the parish council and suit the character and constraints of the area.

What might be acceptable in planning terms is likely to vary between different employment areas. The significance of issues such as residential amenity, noise, light pollution, fumes, traffic and highways would need to take into consideration in each neighbourhood to which the order relates.

The NDO can be a useful tool to develop alongside other regeneration programmes, but by creating an environment in which defined changes to buildings and uses are certain to be acceptable you will increase marketability and complement investments that support worklessness and skills training programmes, to the benefit of local residents.

The benefits for local landowners and businesses include:

- Creation of opportunities for relocation of local businesses or development of new or young businesses in established employment locations with good sustainable transportation links;
- Ability for existing businesses to evolve within their current premises in order to meet the changing commercial circumstances or to meet new enterprise opportunities if they so wish;
- Speed - no procedural delays associated with making an application;
- Certainty of outcome for a prospective tenant;
- Improved prospects for immediate yields on employment property investments.

Design and local residential character

Likely to be of interest to: town and parish councils

Residential improvement could be encouraged within your NDO and the procedures can be used to reduce the cost and uncertainty of making a planning application for small scale development by local residents. Development orders can sit alongside and work in tandem with previously agreed design guidance for specific localities, or possibly Village Design Statements. They could permit renovation works to blocks of flats or there may be a particular circumstance where a form of development currently requiring planning permission would be acceptable in respect of an estate or other large areas of housing.

Control over the appearance and formal consultation would be addressed initially through the design guidance and then through conditions in the NDO, but the benefits for a landlord, freeholder or resident include:

- Improved residential amenity;
- Speed - no procedural delays associated with making an application;
- Certainty of outcome.

In addition, the involvement of residents in the development of your NDO would undoubtedly increase the number of parishioners who feel that they belong to their neighbourhood, get to participate in local issues and influence decisions in their locality.

Conservation

Most likely to appeal to: town and parish councils

As the Government's drive to improve the efficiency of the planning applications systems has resulted in widening of permitted development rights, it is recognised that the character of Conservation Areas often require protection through an Article 4 Direction. There are both resource implications and public relations issues for authorities in taking this route. Where the Conservation Area Management Plan, or Rapid Townscape Assessment has defined

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the features of the Conservation Area which need to be protected or enhanced, your NDO could permit development which is in line with the conservation objectives or suggested improvements. To this end, your NDO would provide an incentive for owners to carry out appropriate improvements or to restore lost features where this preserved or enhanced the character of those buildings.

The benefits for residents include:

- Improved residential amenity;
- Speed - no procedural delays associated with making an application;
- Certainty of outcome.

Renewable energy

Most likely to appeal to: town and parish councils

Your NDO could encourage improvements in energy efficiency and reduction in carbon footprints in residential properties beyond that already permitted by reducing the installation costs through simplifying the planning procedures for installing the infrastructure. The order could encourage micro-generation in defined areas or for types of buildings, but it is considered that the issues will essentially be ones of design and impact on visual amenities, though subject to appropriate conditions; a NDO might be applied to a specific area such as an estate, or depending on the circumstances it could apply to particular types of buildings or throughout the Neighbourhood Area.

To this end, your NDO would demonstrate the commitment of planning to achieve relevant national goals such as reducing CO₂ emissions nationally, tackling fuel poverty and climate change adaptation.

The benefits for a landlord, freeholder or resident include:

- Improved energy efficiency;
- Speed - no procedural delays associated with making an application;
- Certainty of outcome.

Innovation and regeneration

Most likely to appeal to: town councils

Where a site within Hereford or one of the market towns has multiple ownership or occupiers, NDOs could aid the implementation of an outline planning permission.

This could encourage innovative approaches to development but within the overall planning framework of an outline approval. For example, on a new housing site, the road and plot layouts and general principles could be prescribed whilst each dwelling could be individually designed. This could help self-builders build in response to their family needs.

More generally, this approach could be an incentive to development in a run down part of the town where the principles can be approved in an outline application and it will be open to future occupiers to build their premises according to their business needs.

The benefits for future occupants include:

- Speed - no procedural delays associated with making an application;
- Certainty of outcome;
- Not being constrained by detailed plans which do not reflect the future occupiers needs.

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Neighbourhood Development Order guidance notes available:

1. What is a Neighbourhood Development Order
2. A guide to procedures
3. Getting started
4. Neighbourhood Development Order project ideas
5. Funding your Neighbourhood Development Order
6. Glossary of Terms