

### 3. LDOs for housing development

A key driver behind LDOs is for local authorities to adopt a local solution to local issues.

If the solution to kick-starting development on a site is to make an LDO, the approach and resources used will need to be proportionate to the issues being addressed and how much certainty (or flexibility) is needed to prompt the desired development outcome.

An overview of the housing LDO projects developed during the 2014/2015 identifies three main scenarios: “regeneration-led”, “enabling” and “routine development”. In each case, considering what outcome is sought, issues that affect deliverability and the available resources will influence the process of making an LDO.

To these we may add a fourth scenario – “not suitable”. In some circumstances, it will be better value/more expedient to rely on an alternative mechanism, such as a development brief or (potentially) permission in principle to provide enough certainty to prompt development.

#### Regeneration-Led LDO

A regeneration-led LDO is suitable for sites with marginal viability which require front-loading and de-risking in order to attract developers and convince landowners to get engaged.

Often these sites are critical for place shaping objectives or to meet housing and community priorities. Regeneration sites are often in fragmented ownership, which adds to the difficulty both in creating a viable, deliverable vision and in getting plans off the ground. Where Area Action Plans (AAP), Supplementary Planning Documents (SPD), masterplans or development briefs have failed to deliver the interest in regeneration that the Council wants and is prepared to lead, an LDO can be a useful regeneration tool.

The LDO takes the approach used for development of an AAP or masterplan a step further by granting planning permission, usually in a form similar to an outline permission, specifying acceptable development parameters and subject to conditions (including submission of further details) and developer contributions. It is important that the LDO is made with a view to what is viable in the local market conditions, so that there will be a reasonable degree of certainty that a development within these parameters will be deliverable and attractive to a developer and landowner.

In these circumstances the council leading the LDO project demonstrates real planning leadership; a proactive stance and a commitment to unpicking problems and potentially to aiding site assembly issues. The developer will still need to create a development that responds to the framework created through the LDO. But this is with the certainty of fully understanding site constraints and of having the commitment of the council and the engaged community.

The costs of investigation borne up front by the council, are an investment in place making, bringing policies to fruition and a higher likelihood that future development will bring financial returns on that investment through New Homes Bonus, business rates and developer contributions among other benefits.

The LDO for Brunswick Street, Teignmouth is regeneration-led LDO for a largely derelict and under-used town centre site by Teignbridge District Council and the Cleethorpes town centre site in North east Lincolnshire is similarly vacant and crying out for good quality place shaping development. These are described in the case studies chapter.

## Enabling LDO

An enabling LDO is distinguished, for our purposes here, from the regeneration led LDO in that while the council wants to encourage development, the project is not so driven by local policy priorities that they are prepared to make a large commitment of scarce resources to the up-front costs.

The site is more likely to be privately owned and there is value in the land for redevelopment. The landowner will be expected to meet or make a contribution towards the costs in preparing the LDO in exchange for the council's commitment to de-risking the planning process. The LDO is developed in partnership with the landowner or possibly a developer. This approach has the potential to be more productive and less adversarial than a planning application, plus it should be faster.

The willingness of both parties to explore the process together and 'co-design' a project is a real test of the potential of LDOs.

The LDO should be informed by good knowledge of the site, its constraints and market conditions, as with a regeneration led scenario. Similarly, problems will be averted if there is a high degree of commitment to early engagement with the community and stakeholders.

The examples in North East Lincolnshire of the former Birds Eye factory site in Grimsby and the Wellfield Road site in Hatfield are examples of enabling LDOs where the land owner has worked with the local authority to create certainty and encourage a healthy market response.

## Routine LDO

A routine LDO is designed as an innovative way to simplify the planning system and focuses on relatively minor and uncontentious development where the impact of development is foreseeable and standard solutions can be identified and imposed through fairly standard planning conditions or reference to design codes.

The use of LDOs by Swindon Borough Council enabled assisted living housing units to be built on modest sites by its Housing and Social Services. This example shows the way that simple LDOs can be used to speed up the planning process across a number of similar sites and provide the flexibility the council needs to deliver an important programme.



The LDO in place for Graven Hill, Bicester by Cherwell DC, while dealing with a large number of sites (1900 custom and self-build plots), essentially makes use of a routine LDO in order to provide "plot passports" for each plot. The LDO acts as a reserved matters approval pursuant to the outline planning permission for the larger housing development and associated infrastructure. Purchasers of the self-build plots can build their homes in the knowledge that if they meet the requirements of a set design framework. (e.g., maximum height and built area within the plot), they can proceed with development without further cost or delay.

