

What is a Neighbourhood Development Order?

A Neighbourhood Development Order can grant planning permission for specified developments in a neighbourhood area. Once established there would be no need for anyone to apply to the council for planning permission if it is for the type of development covered by the order. This should make it easier and quicker for such development to go ahead in the future.

A Neighbourhood Development Order must still be in line with national planning policy, with the strategic vision for the wider area set by the local planning authority, and any other legal requirements.

Who can prepare a Neighbourhood Development Order?

Where they exist, a town or parish council is the only body that can prepare a Neighbourhood Development Order in their area.

If a town or parish council does not exist then a community group known as a neighbourhood forum needs to be established to lead the process. Its aim must be to improve the social, economic and environmental well-being of the area. It must have a written constitution, have open membership and comprise a minimum of 21 individuals.

The Localism Act recognises that not all communities are residential in nature and in non-parished areas that are predominately commercial a business-led neighbourhood forum can be established.

What is the required process?

Stage 1: Defining the neighbourhood

The town or parish council, or neighbourhood forum, formally submits a neighbourhood area application to the local planning authority, including the proposed boundary of the neighbourhood area. The application is then publicised for six weeks and comments invited. The local planning authority has

the power to amend the boundary of the proposed area if it's thought necessary, or approve the application but designate it as a business area as well.

Stage 2: Preparing the order

If approved, the town or parish council or forum then starts preparing the order. They must engage the community and notify statutory consultees. This stage must include a six week consultation period to publicise the proposals and consider responses. It should involve any affected landowner or tenant.

Stage 3: Independent check

The draft order must then be submitted to the local planning authority, who will formally publicise the proposal for six weeks. An independent examiner will then be appointed to consider any representations and check it conforms to national and local policy. Changes may be recommended.

Stage 4: Community referendum

Once satisfied with the plan the local council will organise a referendum. A majority of people voting must support the order if it is to be made by the local planning authority.

Stage 5: Legal force

If supported the local planning authority will then bring the order into force and publicise its decision.

