

12 August 2011

The Chief Planning Officer
Local Planning Authorities in England

PLANNING SUPPORT FOR BUSINESSES AND SHOPS

The events of the past week have left many businesses, particularly shops, damaged and in need of assistance to get back on their feet. Where damage has occurred it will be in everyone's interest to restore premises and bring them fully back into use as quickly as possible. Following the Prime Minister's statement yesterday, I am writing to ask local planning authorities to consider the ways in which their planning powers can address these issues.

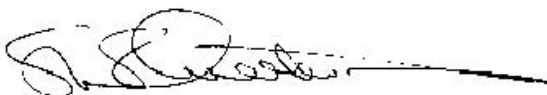
Where planning permission is needed, for example, for rebuilding work or new security shutters, I ask that you prioritise the processing of these planning applications. In the majority of cases, officer determination under delegated powers will be appropriate.

It is important to ensure that a balance is struck between security and protecting the look and character of our high streets. In addition, the overall street scene should be a welcoming environment at night. In this context, it may be helpful to refer businesses to any planning policies or guidance on shop fronts and security shutters.

You may also wish to consider making Local Development Orders to grant automatic planning permission for the installation of security shutters or alterations or extensions to shops. Local Development Orders can be prepared swiftly, are flexible in that they can grant permission for specific development in specified areas, and can be time-limited. The enclosed flowchart sets out the process for making a Local Development Order.

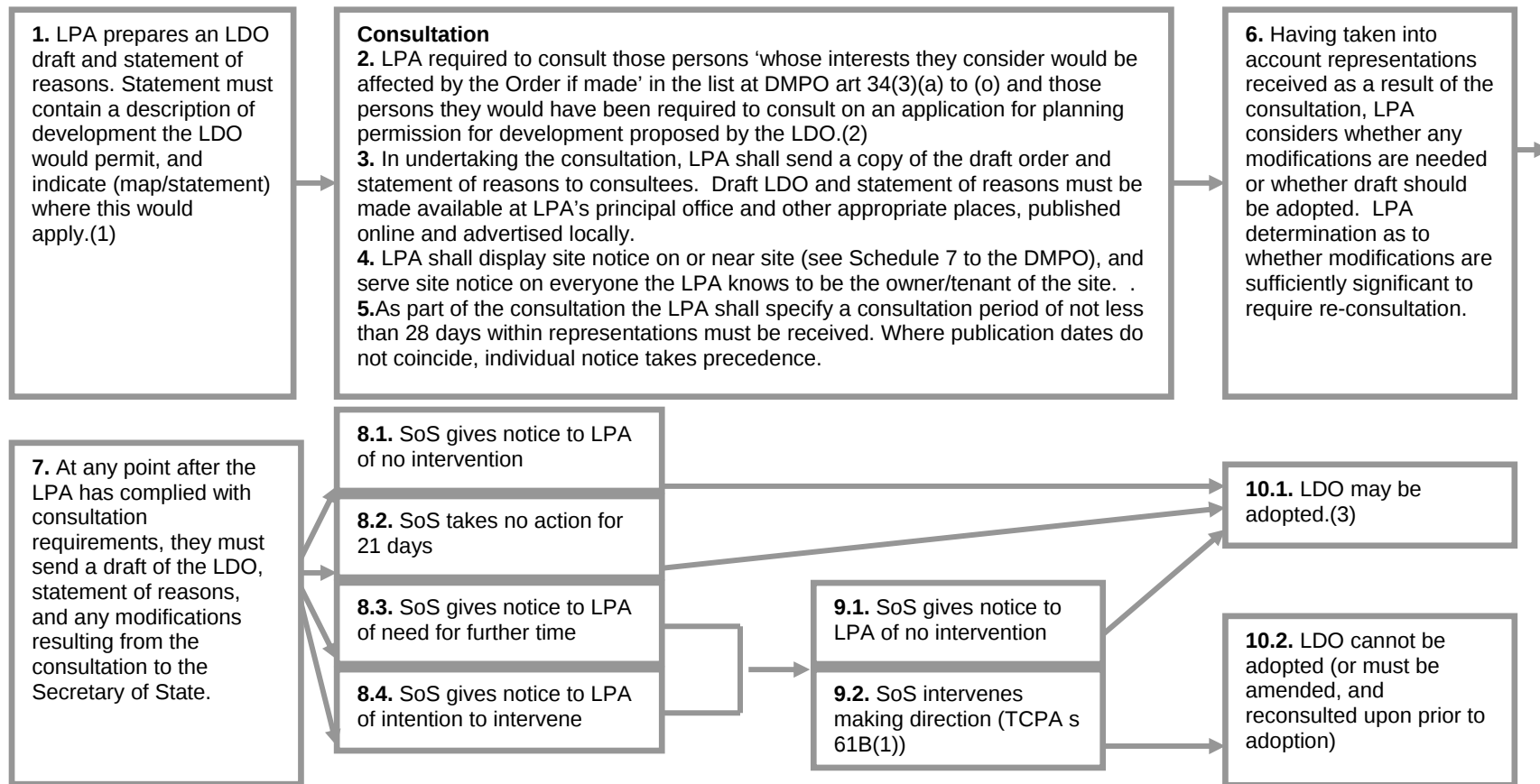
Finally, we also propose to consult on whether security shutters and other security measures should be permitted development.

If you need any further information, please contact Siobhan Fox (0303 444 1709 or siobhan.fox@communities.gsi.gov.uk).



STEVE QUARTERMAIN
Chief Planner

Flowchart- Local Development Order making process



(1) Paragraph (13) of article 34 of the *Town and Country Planning (Development Management Procedure) (England) Order 2010*, the 'DMPO', specifies that an LDO cannot permit development affecting a listed building or development in Schedule 1 to the *Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999*, the 'EIA Regulations'. An LDO may permit development in Schedule 2 to the EIA regulations, provided the correct Environmental Impact Assessment procedures are followed.

(2) See the DMPO, Part 6, article 34(3) and (4).

(3) A Local Planning Authority may revoke a Local Development Order at any time (See section 61A of the *Town and Country Planning Act 1990* as amended, the 'TCPA'). If a revision to a Local Development Order is proposed, re-consultation is required. The Secretary of State may mandate the revision of an LDO by the Local Planning Authority at any point before or after its adoption (see paragraph 2(2)(a) of Schedule 4A to the TCPA). When an LDO is revoked or modified, compensation may be claimed by someone who suffers loss from their subsequent planning application being refused (see section 107 and 108 of the TCPA). Compensation may not be payable on the expiry of a time limit on the duration for which an LDO is 'active' (given that the LDO would not ultimately be revoked).