



Department for
Communities and
Local Government

Local Development Orders for Housing Development on Brownfield Land

Invitation to bid

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Ministerial foreword

Brownfield land is an obvious location for new development. Building new homes on suitable brownfield land reduces the pressure for development on open countryside and farming land. We have an ambitious objective to ensure that local development orders granting planning permission for homes are in place on over 90% of suitable brownfield land by 2020. This is an important way in which local authorities can help deliver the new homes their communities need.

Previously-developed, brownfield land has the potential to deliver planning permission for up to 200,000 new homes across the country. We are offering to support local planning authorities and private sector development partners to help deliver the sites that are ready for new homes.

Local Plans should already recognise the potential for bringing forward previously developed land and will have identified such sites. This Invitation to Bid is an opportunity to realise this potential and deliver the ambition for new homes. We are already supporting local authorities who are taking forward work to consult on local development orders in their area and we are now inviting you to make bidding for support part of your authority's strategy for delivering new houses on suitable brownfield land in your area.

**The Rt Hon Eric Pickles MP,
Secretary of State for Communities and Local Government**

Introduction

1. Local planning authorities will be developing strategies to ensure that over 90% of suitable brownfield land in their area has local development orders in place granting permission for homes by 2020. These strategies will help to maximise the potential for providing as many new homes as possible on previously developed land. Having local development orders in place which grant planning permission for housing should be part of an authority's strategy for securing development.
2. Following the Government's initial opportunity to bid for funding, several authorities have received financial support for the preparation of local development orders for larger housing developments. The Planning Advisory Service is already supporting local planning authorities preparing local development orders for smaller housing developments. This support will help to shape advice and documents, including local development order templates, to be made available for authorities who want to put in place local development orders for smaller housing schemes.
3. Brownfield land has a vital role to play in meeting the country's housing needs where the site is a genuine option for developers. Data collected by local planning authorities shows the significant opportunity suitable brownfield land offers to accommodate planning permissions for up to 200,000 new homes¹. This invitation to bid sets out more detail about how authorities can access up to £50,000 funding for the preparation of local development orders. It is an important part of the wide ranging measures that the Government is taking to support increased housing supply on brownfield land. Alongside this invitation the Government has published a [Consultation Document](#) that seeks views on how best local planning authorities can record and share data on suitable brownfield land and how to support authorities driving forward strong performance against the objective for putting local development orders in place for homes on suitable brownfield land.

The Local Development Order Incentive Fund

4. Local development orders can unlock sites and support developers in securing planning consent by establishing the parameters for housing on brownfield sites. They can set out the size, numbers and location of housing on a site and also cover other issues such as design or the provision of infrastructure. This will help developers working up suitable schemes to get work started on site quicker and deliver much needed homes sooner. Local development orders also enable local planning authorities to work with local communities to develop workable solutions to determine what forms of development should be taken forward on sites in their local area.

¹ Data based on local authority returns to the Department for Communities and Local Government in 2010 (National Land Use Database).

5. Funding of up to £50,000 will help to support the preparation of new local development orders for housing on suitable brownfield land. The aim is to support in the region of 100 bids. Local planning authorities will want to consider how they could use the funding to work with developers and communities to support the delivery of new homes through the use of a local development order. We would encourage local authorities who have submitted shortlisted Housing Zone proposals to explore how additional funding could be used to deliver the zone and support their wider objectives to increase housing supply. Advice for authorities that are interested in making bids for funding will be available from the Planning Advisory Service.
6. The funding for local development orders is part of a drive to unlock viable housing schemes on brownfield sites through the delivery of planning simplification. A local development order will make clear that the local planning authority is promoting the site for new housing development and that is why the Government wishes to ensure that local planning authorities maximise their use. Local planning authorities are encouraged to consider the Government's published [proposals](#) for driving forward strong performance against the objective for putting local development orders in place granting planning permissions for homes on suitable brownfield land. Authorities should decide how they will meet this challenge and identify what funding they need to support the preparation of local development orders to deliver their brownfield objective.
7. This invitation to bid sets out the arrangements for local planning authorities to submit bids for funding to support the preparation of local development orders to facilitate housing on brownfield land. Bids are encouraged from local planning authorities that can identify suitable brownfield sites able to accommodate in the region of 100 dwellings or more. Local authorities who have submitted shortlisted Housing Zone proposals are also encouraged to apply. Authorities will be expected to consult on the draft local development order during 2015 and have them in place no later than March 2016.
8. Guidance on [local development orders](#) is available as part of the Government's planning guidance available at <http://planningguidance.planningportal.gov.uk/> Good practice and other learning material is being made available on the [Planning Advisory Service website](#).

Availability and Eligibility

9. The fund will be awarded on a competitive basis through this bidding round. All local planning authorities are eligible to bid, including authorities that are currently receiving support from the Planning Advisory Service or funding for a local development order² provided that the proposed local development order is not for the same site.

² This will be where a local planning authority is receiving DCLG funding to support the development of a local development order in order to inform advice and templates being drawn up by the Planning Advisory Service or has received funding for a local development order under the [invitation to bid](#) published in August 2014.

10. Bids should be made by the local planning authority in which the site is situated. A local development order can cover one site or several sites. Where sites straddle more than one local planning authority area it will be for the local planning authorities concerned to decide whether separate bids should be made to support their local development orders or whether one local planning authority could act as a lead authority, for example where funding could be used to support both the authorities' local development orders. For sites straddling boundaries each local planning authority will still need to adopt their own local development order for the part of the site located in their own area. It is open to local planning authorities to make more than one bid for funding in their area. The Government wishes to ensure that the bidding process is as flexible as possible and encourages innovative applications from local planning authorities across England. To be eligible sites must be on land where the majority of the area is on brownfield³ land, suitable for housing and capable of accommodating in the region of 100 dwellings or more and be located in England.
11. It is anticipated that successful bidders would receive up to £50,000 per bid towards the costs incurred in 2015-16 delivering the local development order. On the assumption that the Government receives eligible bids of an appropriate quality it is expected that up to 100 local development orders will be supported. Awards will be paid via section 31 of the Local Government Act 2003⁴ subject to HM Treasury approval. Funding will be paid in 2015-2016. The Department reserves the right not to pay recipients the full amount requested (this will depend on affordability in light of the total amount of funding requested).
12. Local planning authorities are required to inform the National Planning Casework Unit when a local development order comes into force.

Award Criteria

13. In making awards priority will be given to those local planning authorities who provide the strongest evidence in support of their bids. Applicants should adopt a proportionate approach to the submission of evidence which should be sufficiently robust to present a convincing case about the eligibility and deliverability of sites, and the prospect of delivering the local development order. There should be real commitment from the local planning authority, signed off by an individual with authority at the appropriate level, to prepare and consult on the draft local development order by the end of December 2015 and have the Order in place no later than March 2016.
14. The specific criteria are set out in the table below and each bid will be assessed on a scale of 1 to 15 points, where 15 is the maximum score available. The assessment of bids will be made against the evidence in the bids submitted.

³ Reference should be made to the definition of previously developed land in the National Planning Policy Framework

⁴ Or equivalent grant-making powers in respect of National Parks or other local planning authorities that are not covered by this Act.

15. In summary applicants will be required to demonstrate and evidence, that:

- a. sites are deliverable⁵
- b. there is a clear project plan in place for consulting on the draft local development order by the end of December 2015
- c. the local planning authority has sufficient capacity to prepare and deliver the local development order, particularly staff resources
- d. there is a clear commitment to timely discharge of conditions or the granting of prior approval
- e. it is clear how the local planning authority intend to use the money and that it will be used in a cost effective way.

16. The Government's ambition is to maximise the delivery of homes on brownfield sites and bids will also be assessed according to the number of units to be provided through the local development order. Local planning authorities are also asked to identify where their bid is associated with wider strategic initiatives such as a shortlisted Housing Zone proposal. Local planning authorities should also set out their plans for how the authority will engage with developers and communities on the future development of the site.

Local Development Order Fund Assessment Criteria		
Criteria	Points available	Reasons for these criteria
<p>(a) Sites are deliverable</p> <p>3 points: strong proposals with very good evidence about site and deliverability 2 points: good case and evidence 1 point: very limited case and/or unclear evidence 0 points: no evidence</p>	Up to 3	The Government is committed to maximising the potential of brownfield sites in meeting the country's housing needs. It is vital that the sites identified for local development orders have a realistic prospect of being delivered within five years and that they make a significant contribution to housing supply.
<p>(b) Clear project plan in place for consulting on the local development order by the end of December 2015</p> <p>3 points: strong project plan with very clear milestones, very good analysis of risks and very effective mitigation measures identified 2 points: good project plan, identifying</p>	Up to 3	The Government expects to see local development orders granting permissions for homes in place on more than 90% of suitable brownfield land by 2020. A strong and organised project management approach will

⁵ In line with policy in the National Planning Policy Framework, to be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that the development of the site is viable.

<p>milestones, with an appropriate analysis of risks and mitigations identified 1 point: very limited project planning 0 points: no project planning</p>		<p>demonstrate a commitment by the local planning authority to the delivery of the local development order, and more widely, to housing delivery.</p>
<p>(c) Sufficient capacity, including staff and other key resources, to prepare and deliver the local development order</p> <p>3 points: strong proposals with a very good assessment of the resource (staff and any other) needed and very clear confirmation that this is available 2 points: good assessment of resource requirements and clear confirmation that this is available. 1 point: very limited or unclear assessment about resource needs/availability 0 points: no evidence about resource needs/availability</p>	<p>Up to 3</p>	<p>The funding for successful bidders will provide an important boost to local planning authorities preparing local development orders for housing. But the Government recognises that in most cases it will need to be supplemented by additional resources, including staff time, if high quality local development orders are to be delivered on time. To ensure confidence that this will be achieved a clear assessment about the level of resources needed and a commitment to ensuring that this will be made available will be vital to the successful bids.</p>
<p>(d) Clear commitment to timely discharge of conditions and/or the granting of prior approval</p> <p>3 points: strong proposals with a very clear commitment to discharge conditions and/or grant prior approval 2 points: good proposals with clear commitment 1 point: unclear evidence and commitment 0 points: no commitment</p>	<p>Up to 3</p>	<p>Local development orders are designed to simplify and speed up local planning. A delay to discharging any associated conditions or granting prior approval would undermine this core objective and act as a disincentive to developers. Therefore bids should include details of how prior approval will be handled and how conditions will be discharged and a firm commitment that both will be undertaken in a timely manner.</p>
<p>(e) Use of funding demonstrates cost effectiveness</p> <p>3 points: strong proposals with very good evidence to show how the funding will</p>	<p>Up to 3</p>	<p>The funding provided to successful bidders will act as an important boost to local planning authorities that are keen to streamline</p>

<p>support the delivery of the local development order including a breakdown of activities and costs.</p> <p>2 points: good proposal and evidence to show the how the funding will support the delivery of the local development order</p> <p>1 point: very limited or unclear evidence of how the funding will support delivery.</p> <p>0 points: no evidence of how the funding will support delivery.</p>		<p>the planning process, provide greater certainty for developers and communities, and operate a more efficient service. It is open to successful bidders to bid for resources for activity that is required to support the creation of the local development order. This may well be on additional staff resource but it could also be to support other aspects of the local development order preparation process. Successful bidders will need to set out clearly how they intend to spend the funding including a breakdown of proposed activities and costs and demonstrate why it is cost effective.</p>
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How to apply

17. Bids should either be made electronically using the Local Development Order Fund application form located at the following address: <https://www.surveymonkey.com/s/TD2XWX5> or by sending a completed bid to LDOFunding@communities.gsi.gov.uk. A list of the additional information required when completing the form is provided for information at Annex A.
18. All bids should be submitted by 11 March 2015.
19. Any other questions about the fund or the bidding process can be sent to us at LDOFunding@communities.gsi.gov.uk.

Additional Information required

Applicant details:

- Name of local planning authority
- Contact name
- Contact email address
- Contact telephone number
- Address of local planning authority

Bid details:

- Name and location of local development order area or areas (including where known the postcode)
- Confirmation that a site plan has been provided (where the online form is completed the site plan can be sent separately to LDOFunding@communities.gsi.gov.uk)
- Size of site (in hectares)
- Planning status
- Number of housing units proposed
- Confirmation of whether the local development order is part of a wider strategic initiative such as a shortlisted Housing Zone proposal.

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