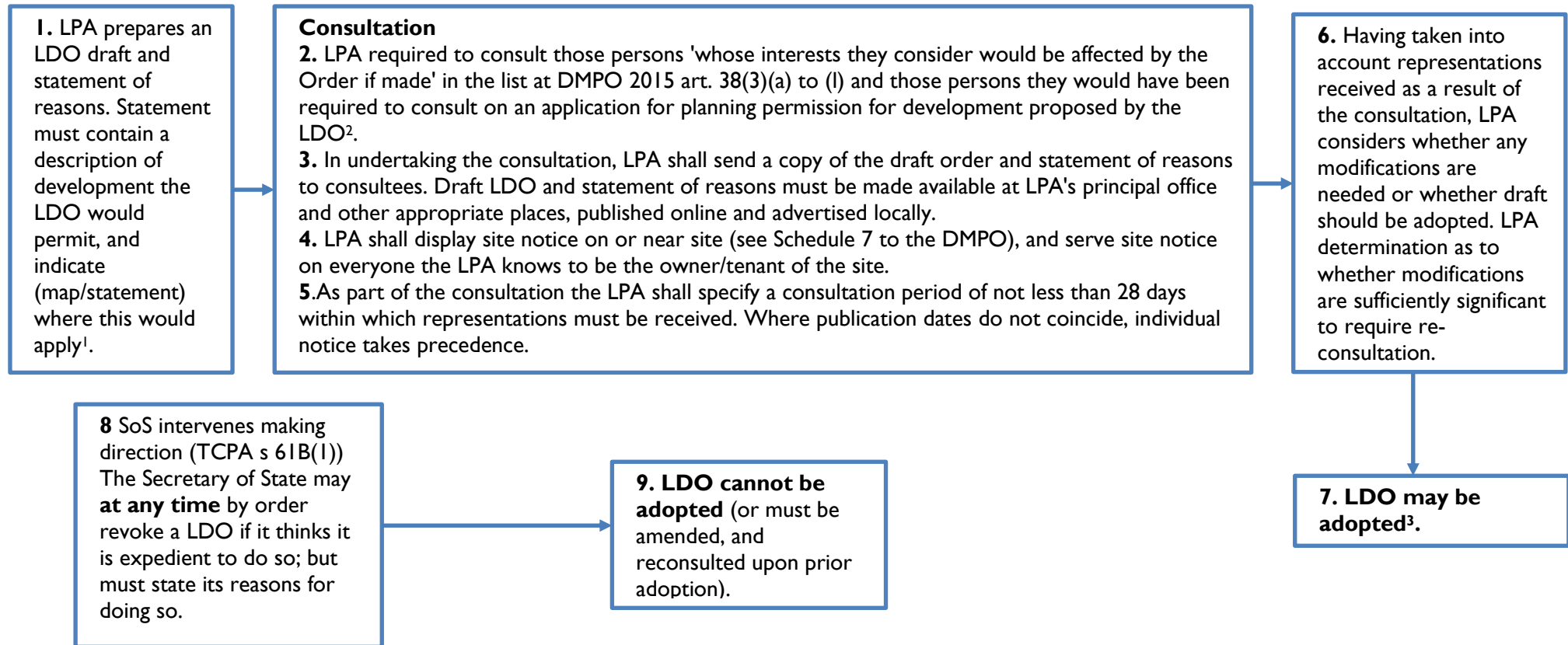


## Flowchart – Local Development Order making process



1. Article 38 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 38(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).