STATUTORY INSTRUMENTS

2025 No. 37

TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (Northwood Headquarters) Special Development Order 2025

Made - - - -	*14th January 2025*
Laid before Parliament	*15th January 2025*
Coming into force	*5th February 2025*

The Secretary of State for Housing, Communities and Local Government makes this Order in exercise of the powers conferred by sections 59(1), (2)(a) and (3)(b) and 60(1), (1A) and (2A) of the Town and Country Planning Act 1990(**a**).

Citation, commencement, extent and application

1.—(1) This Order may be cited as the Town and Country Planning (Northwood Headquarters) Special Development Order 2025.

(2) This Order comes into force on 5th February 2025.

(3) This Order extends to England and Wales.

(4) This Order applies to the land at Northwood Headquarters, Sandy Lane, Northwood, Middlesex, HA6 3HP shown bounded externally by the outer edge of a bold red line on the Map (the "Order land").

Interpretation

2. In this Order—

"2015 Order" means the Town and Country Planning (General Permitted Development) (England) Order 2015(**b**);

"approval condition" means—

(a) a condition subject to which the Secretary of State gives a relevant approval or a subsequent approval, or

(b) a condition subject to which the Secretary of State gives an approval under a condition within paragraph (a);

"approved document" means—

(**a**) 1990 c. 8. Section 60 was amended by section 4(1) of the Growth and Infrastructure Act 2013 (c. 27) and section 152(1) of the Housing and Planning Act 2016 (c. 22). There are further amendments to sections 59 and 60 which are not relevant to this Order.

(**b**) S.I. 2015/596, amended by S.I. 2016/332, 2016/765, 2016/1040, 2016/1154, 2017/391, 2017/571, 2017/619, 2017/1011, 2017/1012, 2018/119, 2018/343, 2018/695, 2019/907, 2020/330, 2020/412, 2020/632, 2020/755, 2020/756, 2020/1243, 2020/1459, 2021/428, 2021/467, 2021/814, 2021/1464, 2022/278, 2022/634, 2023/368, 2023/747, 2023/98, 2023/1110, 2023/1279, 2024/141, 2024/579, 2024/1139.

(a) a document or part of a document submitted by the Defence Secretary to the Secretary of State, to which reference is made—

(i) in an approval condition,

(ii) in a relevant approval notice, to specify the development for which relevant approval is given in that notice, or

(iii) in a subsequent approval notice, to specify the relevant instrument or change, subsequent approval of which is given in that notice;

(b) at any date after a document or part of a document within paragraph (a) is amended or replaced pursuant to a subsequent approval notice, that document or part of a document, as so amended or replaced at that date by one or more subsequent approval notices,

and references to any particular approved document, including references in a relevant approval notice or approval condition, are to be construed accordingly;

"construction work" means—

(a) the erection, installation, provision, extension, maintenance, repair, improvement, alteration, decommissioning, removal or demolition of a building, structure, plant, equipment, machinery, sewer, main, pipe, cable or other apparatus;

(b) engineering or other operations, including any—

(i) excavation, other than mining operations;

(ii) building, engineering or other operation, including construction, maintenance or repair of a road that facilitates the carrying out of other operations, or access to a building or structure;

"construction worker" means a person engaged in construction work on the Order land;

"Defence Secretary" means the Secretary of State for Defence;

"European site" has the meaning given in regulation 8 of the Conservation of Habitats and Species Regulations 2017(**a**) (European sites and European marine sites);

"the Map" means revision P05 of the map with reference number 1296Y16-TTE-ZZ-ZZ-DR-A-10012, submitted by the Defence Secretary to the Secretary of State;

"new document" means a document—

(a) for which the Defence Secretary is required to seek the Secretary of State's approval pursuant to a Schedule 1 condition or an approval condition, and

(b) in respect of which the Secretary of State has not previously given subsequent approval;

"Order land" has the meaning given in article 1(4);

"personnel" means persons, other than construction workers, who work on the Order land and are employed to do so;

"relevant approval" means the Secretary of State's prior approval for the carrying out of relevant development;

"relevant approval notice" has the meaning given in article 5(1)(b) (relevant approvals);

"relevant change of use" means any development that—

(a) falls within the class specified in article 4(1)(a) (grant of planning permission), and

(b) involves the change of use of a building or land—

(i) from being used for living accommodation to another use;

(ii) from another use to being used for living accommodation;

"relevant development" means development carried out, or to be carried out, under the planning permission granted by article 4(1), that—

(a) is a relevant change of use, or

(**a**) S.I. 2017/1012, amended by S.I. 2019/579.

(b) falls within a class specified in article 4(1)(b) or (c);

"relevant instrument or change" means—

(a) a new document,

(b) a document that embodies an amendment or replacement of an approved document,

(c) a document that embodies a variation or replacement of an approval condition, or

(d) the removal of an approval condition;

"relevant submission" means a written submission to the Secretary of State seeking relevant approval for relevant development;

"Schedule 1 condition" means a condition set out in Schedule 1 (conditions subject to which planning permission is granted);

"the Secretary of State" means, except in the definition of "Defence Secretary", the Secretary of State for Housing, Communities and Local Government;

"subsequent approval" means the Secretary of State's approval of a relevant instrument or change;

"subsequent approval notice" has the meaning given in article 6(1)(b) (subsequent approvals).

Permitted development rights and development management procedure

3.—(1) Subject to paragraph (2), the 2015 Order applies to the Order land in respect of—

(a) development commenced before 5th February 2025, and

(b) development commenced on or after 5th February 2025 that falls within a class described as permitted development in a provision of Schedule 2 to the 2015 Order (permitted development rights) that is listed in Schedule 2 to this Order (specified provisions of Schedule 2 to the 2015 Order).

(2) In the application of the 2015 Order to development within paragraph (1)(b), references to the local planning authority are to be read as references to the Secretary of State for Housing, Communities and Local Government.

(3) The Town and Country Planning (Development Management Procedure) (England) Order 2015(**a**) applies to the Order land in respect of any development—

(a) in respect of which it would, apart from this Order, apply, and

(b) for which planning permission is not granted by this Order, or article 3(1) of the 2015 Order (permitted development) as applied by paragraphs (1) and (2) of this article.

Grant of planning permission

4.—(1) Subject to the provisions of this Order, planning permission is granted for the following classes of development, where they are carried out for the purpose of national defence by or on behalf of the Defence Secretary—

(a) the making of any material change in the use of—

(i) any building in, on, under or over the Order land, or

(ii) any part of the Order land;

(b) the carrying out, in, on, under or over the Order land, of any construction work, including in relation to any of the types of building or structure specified in paragraph (2);

(c) the retention on the Order land of buildings or structures erected or installed under temporary planning permission granted—

(i) by Three Rivers District Council, or

(**a**) S.I. 2015/595, amended by the Business and Planning Act 2020 (c. 16), sections 16(5), 17(5) and 18(5), and S.I. 2016/873, 2016/912, 2017/402, 2017/571, 2017/1012, 2017/1013, 2017/1243, 2017/1309, 2018/119, 2018/695, 2018/1234, 2020/505, 2021/746, 2021/814, 2022/634, 2023/142, 2023/747, 2023/1071, 2023/1279, 2024/50, 2024/453.

(ii) by a general development order,

either permanently, or for a longer period than is permitted under that permission, as specified in a relevant approval notice.

(2) The types of building or structure specified are—

(a) permanent or temporary—

(i) offices and working spaces for personnel, construction workers, or persons visiting the Order land;

(ii) living accommodation for personnel and their families;

(iii) other facilities and amenities, including car parking, for personnel, their families, construction workers, or people visiting the Order land;

(b) permanent or temporary plant, equipment or machinery, and structures where it is to be housed or located.

(3) The planning permission granted by paragraph (1) is subject to the Schedule 1 conditions.

Relevant approvals

5.—(1) No relevant development may commence unless—

(a) the Defence Secretary has made a relevant submission in respect of that development which complies with Schedule 3 (contents of relevant submissions), and

(b) the Secretary of State, having received and considered the relevant submission, has given the Defence Secretary a written notice under this article, specifying that development and stating that the Secretary of State gives relevant approval for it (a "relevant approval notice").

(2) The Secretary of State must not give a relevant approval notice unless the Secretary of State has determined that the relevant development—

(a) has no likely significant effect on the integrity of any European site, either alone or in combination with other plans or projects, and

(b) is capable of being carried out in accordance with the Schedule 1 conditions.

(3) A relevant approval notice—

(a) has effect from the date on which it is given, or such other date as it may specify;

(b) must specify, by reference to a document submitted by the Defence Secretary or otherwise—

(i) the relevant development for which relevant approval is given;

(ii) any conditions subject to which relevant approval is given.

Subsequent approvals

6.—(1) A relevant instrument or change has effect for the purposes of a relevant approval notice or an approval condition if, and to the extent that—

(a) the Defence Secretary has made a written application to the Secretary of State requesting subsequent approval of it (a "subsequent approval application"), and

(b) the Secretary of State, having received and considered the subsequent approval application, has given the Defence Secretary a written notice under this article, specifying the relevant instrument or change and stating that the Secretary of State gives subsequent approval in respect of it (a "subsequent approval notice").

(2) The Secretary of State must not give a subsequent approval notice unless the Secretary of State has determined that the giving of subsequent approval will not result in the carrying out of relevant development that—

(a) has a likely significant effect on the integrity of any European site, either alone or in combination with other plans or projects, or

(b) is not capable of being carried out in accordance with the Schedule 1 conditions.

(3) A subsequent approval application—

(a) that requests subsequent approval of a new document, must include the new document;

(b) that requests subsequent approval of a document that embodies an amendment or replacement of an approved document, must include—

(i) the relevant approval notice or approval condition that first referred to that approved document, or to an earlier version of it;

(ii) details of any subsequent approval notice that has previously been given in respect of that approved document;

(iii) details of how the Defence Secretary proposes to amend or replace the approved document, and the reasons for the proposed amendment or replacement;

(iv) a version of the approved document, incorporating the amendment or replacement of it for which the Defence Secretary requests approval;

(c) that requests subsequent approval of a document that embodies a variation or replacement of an approval condition, or of the removal of such a condition, must specify or include—

(i) the document that first specified that condition or an earlier version of it;

(ii) details of any subsequent approval notice that has previously been given in respect of that condition;

(iii) details of how the Defence Secretary proposes to vary, remove or replace the condition, and the reasons for the proposed variation, removal or replacement;

(iv) where the request is for approval of a variation or replacement of an approval condition, a version of the approval condition, incorporating the variation or replacement of it for which the Defence Secretary requests approval.

(4) A subsequent approval notice—

(a) has effect from the date on which it is given, or such other date as it may specify;

(b) must specify—

(i) the relevant instrument or change, subsequent approval of which is given in the notice;

(ii) the effect that the notice has on any document within paragraph (3)(b)(i) or (c)(i);

(iii) any conditions subject to which subsequent approval is given.

Documents: security and transparency

7.—(1) Where—

(a) a provision of this Order or an approval condition, however expressed, requires the Defence Secretary to give a document or information to the Secretary of State, and

(b) for reasons associated with national defence, national security, or international relations, the Defence Secretary requires instead to give the Secretary of State access to that document or information by enabling it to be inspected in a secure location by or on behalf of the Secretary of State,

the Defence Secretary may comply with the requirement within sub-paragraph (a) by making the document or information available as described in sub-paragraph (b).

(2) Subject to paragraph (3), the Secretary of State must make arrangements for a copy of—

(a) the Map, and

(b) each approved document, relevant approval notice, and subsequent approval notice (each such document being a "relevant document"),

to be available for inspection by the public on a website maintained by or on behalf of the Secretary of State(**a**), and, by appointment, at the Ministry of Housing, Communities and Local Government, at 2 Marsham Street, London SW1P 4DF.

(3) The Secretary of State must not make available under paragraph (2)—

(a) a document or information that has been inspected as described in paragraph (1)(b);

(b) any other information in respect of which the Secretary of State considers that making it available—

(i) may compromise the security of a building or structure in, on, under or over the Order land, or the safety of those working or living in, or visiting, any such building or structure, or

(ii) would otherwise be contrary to the national interest, having regard to considerations of defence, national security or international relations.

(4) In determining under paragraph (3)(b) what information to make available under paragraph (2), the Secretary of State must have regard to any representations made by the Defence Secretary in relation to the considerations set out in paragraph (3)(b)(i) and (ii).

(5) Where the Secretary of State determines—

(a) that only some of the information in a relevant document is not to be made available under paragraph (3), the Secretary of State must redact that information from the copy of the relevant document containing it that is made available;

(b) that all the information in a relevant document is not to be made available under paragraph (3), the Secretary of State must publish a statement identifying that relevant document, and stating that it is not being made available under paragraph (3).

Signed by the Secretary of State for Housing, Communities and Local Government

Angela Rayner
Secretary of State
Ministry of Housing, Communities and Local Government

14th January 2025

SCHEDULE 1

Article 2

Conditions subject to which planning permission is granted

Part 1

General

Interpretation of Schedule 1

1. In this Schedule—

"CEMP" has the meaning given in paragraph 7(1)(a) (construction and environmental management plan);

"contamination risk" means a risk to human health or the environment, including a risk of groundwater becoming contaminated, arising from—

(**a**) This will be within www.gov.uk, and capable of being located from its search page.

(a) construction work, or

(b) the presence, in, on, under or over land, of hazardous substances, including gases, vapour concentrations or radiological contamination, that such work may release or spread;

"ordnance risk" means a risk to human health or the environment associated with the presence of unexploded ordnance in, on, under or over land;

"rainfall event" means a rainfall event of any intensity that may reasonably be expected to affect the Order land, up to and including the intensity of a 1 in 100 year rainfall event, increased by 40 per cent to allow for the effects of climate change.

Parameters

2.—(1) No temporary building or structure that—

(a) is or forms part of relevant development, and

(b) is erected for a purpose specified in the first column of Table 1,

may exceed the height specified in the corresponding row of the second column of Table 1.

Table 1

Purpose of development	*Maximum permitted height*
Providing facilities and amenities for construction workers	18 metres
Noise attenuation (including by means of fences and hoardings)	8 metres
Protection of construction work (otherwise than by means of fences and hoardings)	28 metres
Preparation and storage of concrete and other materials for use in construction work	22 metres

(2) Subject to sub-paragraph (3), no construction work may result in a permanent building or structure that—

(a) is or forms part of relevant development, and

(b) falls within a type specified in the first column of Table 2,

whose height exceeds that specified in the corresponding row of the second column of Table 2.

Table 2

Type of building or structure	*Maximum permitted height*
Multi-storey car park	22 metres
Living accommodation for single personnel, other personnel and their families	15 metres
Other buildings within the type specified in article 4(2)(a)	23 metres
Gates, fences or other means of enclosure, including perimeter fencing	5.4 metres

(3) With the Secretary of State's prior written consent, a building or structure may exceed the maximum height specified for it under sub-paragraph (2) by up to 10%.

(4) Subject to sub-paragraph (5), no relevant development may, either by itself or taken together with other relevant development, result in there being available—

(a) more than 1,140 designated car parking spaces in multi-storey car parks on the Order land, or

(b) in other buildings on the Order land—

(i) more than 10,550 square metres of net additional floorspace for living accommodation, or

(ii) more than 28,820 square metres of net additional floorspace for uses other than living accommodation or car parking.

(5) With the Secretary of State's prior written consent, relevant development may result in the amount of net additional floorspace available in buildings on the Order land for a use specified in sub-paragraph (4)(b)(i) or (ii) exceeding, by up to 10%, the amount of net additional floorspace specified in respect of that use in sub-paragraph 4(b)(i) or (ii).

(6) A consent under sub-paragraph (3) or sub-paragraph (5) must be given in a relevant approval notice or subsequent approval notice.

(7) For the purposes of this paragraph—

(a) a reference to the height of a building or other structure is a reference to its height when measured from—

(i) the level of the surface of the ground adjoining the building or structure;

(ii) if the level of the surface of the ground where the building or structure is situated or is to be situated is not uniform, the level of the highest part of the surface of the ground adjacent to it;

(b) any measurement of the height of a building or structure is to be undertaken disregarding any plant, equipment or apparatus attached to that building or structure;

(c) floorspace in a building is to be calculated by using its external dimensions only;

(d) the amount of net additional floorspace available for a use specified in sub-paragraph (4)(b)(i) or (ii) that results from relevant development is to be calculated as—

$$A - B$$

Where—

A is the aggregate amount of floorspace made available for the first time for that use on completion of that relevant development, solely as a result of the erection, installation, extension or alteration of a building in, on, under or over the Order land, and not as a result of any relevant change of use;

B is the aggregate amount of floorspace ceasing to be available for that use on completion of that relevant development, solely as a result of the decommissioning, removal, demolition or alteration of a building in, on, under or over the Order land and not as a result of any relevant change of use.

Compliance with approval conditions

3. Relevant development must be carried out in accordance with any approval condition that relates to it.

Artificial lighting

4. Any exterior artificial lighting that—

(a) forms part of relevant development, and

(b) is not installed to facilitate the carrying out of construction work,

must be arranged so that the main beam angle of each installation is directed downward, and away from the closest boundary of the Order land, so as to minimise light spill.

Drainage and surface water

5. Relevant development must not result in the rate or volume of surface water discharged from the Order land as a result of any given rainfall event being greater than it would have been as a result of the same rainfall event if that development had not been carried out.

Part 2

Construction and related matters

Commencement of development

6. Before commencing the carrying out of relevant development that involves construction work, the Defence Secretary must notify the Secretary of State in writing of the date when the relevant development is to commence.

Construction and environmental management plan

7.—(1) The Defence Secretary may not carry out relevant development that involves construction work unless—

(a) the Defence Secretary has submitted for subsequent approval a document that sets out a plan, policy, procedure, standard or method statement to be followed in respect of each of the matters specified in sub-paragraph (2) (a "CEMP"), and

(b) the Secretary of State has given a subsequent approval notice in respect of that CEMP.

(2) The matters specified are the following matters relating to the construction work comprised in the relevant development—

(a) the times when work, or particular types of work, may be carried out, either generally or in particular locations;

(b) engagement with those who live on the Order land, or own or occupy land adjoining it ("relevant persons"), including how they are to be informed about—

(i) the impacts of the work that they may reasonably be expected to experience, and

(ii) how and with whom they may raise concerns about such impacts, or complaints about impacts of the relevant development that they have experienced;

(c) the control of noise and vibration, including—

(i) the setting of limits that must not be exceeded, in order to avoid unacceptable disturbance to relevant persons or other sensitive receptors in the vicinity of the relevant development ("prescribed noise and vibration limits");

(ii) monitoring compliance with prescribed noise and vibration limits;

(iii) measures for mitigating the impact of noise and vibration, including alternative working practices to be adopted if noise or vibration temporarily exceeds, or is likely to exceed, a prescribed noise and vibration limit;

(d) the control of dust and other emissions to air, including—

(i) the setting of limits that must not be exceeded, in order to avoid unacceptable disturbance to relevant persons or other sensitive receptors in the vicinity of the relevant development ("prescribed emission limits");

(ii) monitoring compliance with prescribed emission limits;

(iii) measures for mitigating the impact of such emissions, including alternative working practices to be adopted if such emissions temporarily exceed, or are likely to exceed, a prescribed emission limit;

(e) arrangements for material storage, including arrangements for safe storage of materials which are classed as hazardous;

(f) arrangements for—

(i) site compounds and contractor working and welfare areas, and

(ii) temporary fencing and hoardings,

including a plan showing their locations;

(g) management of waste;

(h) the provision of lighting and mitigation of its adverse impacts on relevant persons and other sensitive receptors;

(i) assessment and prevention of contamination risks and ordnance risks;

(j) management of surface water, including any temporary structures to convey, attenuate or treat surface water on the Order land, and measures to limit and remove suspended solids and other pollutants contained in surface water runoff;

(k) protection of the natural environment, including—

(i) management of risks arising from the presence of invasive species in, on, under or over the Order land;

(ii) measures to avoid harm to wild birds (as defined in section 27(1) of the Wildlife and Countryside Act 1981(**a**)), their eggs and nests;

(iii) measures to prevent damage to trees that are to be retained on the Order land;

(l) arrangements for appointing and retaining persons with suitable qualifications and experience in relation to—

(i) the assessment and prevention of contamination risks and ordnance risks;

(ii) the assessment and prevention of risks associated with rainfall events;

(iii) monitoring noise and vibration;

(iv) monitoring dust and other emissions to air;

(v) archaeology, arboriculture and ecology,

to carry out, or advise on, any matters relating to the relevant development in respect of which their expertise is required.

(3) The Defence Secretary must—

(a) keep under review any CEMP that—

(i) is an approved document, and

(ii) relates to relevant development, any part of which has not yet been completed,

and submit updates to that CEMP for subsequent approval as appropriate;

(b) keep on the Order land a copy of—

(i) each CEMP to which paragraph (a) applies, and

(ii) any subsequent approval notice relating to it,

until the relevant development to which it relates has been completed.

Construction traffic management plan

8.—(1) The Defence Secretary may not carry out relevant development that involves construction work unless—

(a) the Defence Secretary has submitted for subsequent approval a document that sets out a plan, policy, procedure, standard or method statement to be followed in respect of each of the matters specified in sub-paragraph (2), and

(b) the Secretary of State has given a subsequent approval notice in respect of that document.

(2) The matters specified are the following matters relating to the construction work comprised in the relevant development—

(a) the regulation of vehicle movements onto and from the Order land, including site access arrangements and details of those responsible for supervising, controlling, and monitoring vehicle movements onto and from the Order land;

(**a**) 1981 c. 69. The definition of "wild bird" was amended in relation to England by S.I. 2004/1487, 2019/579; there are other amendments not relevant to this Order.

(b) details of routing for vehicles travelling to and from the Order land in connection with construction work, including arrangements for—

(i) transporting construction workers to and from the Order land;

(ii) vehicles transporting abnormal loads;

(iii) vehicles removing spoil or waste materials from the Order land;

(c) the management of deliveries to the Order land so as to avoid queues of vehicles forming on roads adjacent to the Order land to which the public has access ("relevant roads"), including measures to—

(i) reduce the number of traffic movements associated with such deliveries;

(ii) limit the volume of deliveries scheduled to occur during the periods each day when, on average, traffic on relevant roads is heaviest;

(d) vehicle wheel washing facilities and other measures to prevent the deposit of mud and other deleterious material on relevant roads.

Groundwater protection

9.—(1) In this paragraph—

"contamination expert" means a person appointed to assess and prevent contamination risks in accordance with arrangements made under a CEMP (see paragraph 7(2)(l)(i) (construction and environmental management plan));

"groundwater risk" means, in relation to an underground work, a contamination risk that may reasonably be expected to arise in relation to groundwater as a result of carrying out that work;

"requisite measures" means such measures as a contamination expert considers are necessary to be taken in order to prevent any groundwater risks that the expert has identified;

"underground work" means any excavation, tunnelling or boring below the surface of the ground, piling, or other construction work carried out underground and comprised in relevant development, and includes work undertaken in connection with the installation of any sewer, main, pipe, cable or other utility apparatus, or for the purposes of water management.

(2) Subject to sub-paragraph (3), no underground work may be carried out unless the Defence Secretary—

(a) has commissioned a report from a contamination expert on groundwater risks and requisite measures,

(b) if the contamination expert's report identifies a groundwater risk, has—

(i) obtained any relevant approval required to implement the requisite measures, and

(ii) implemented the requisite measures, and

(c) has given the Secretary of State a document setting out—

(i) details of the contamination expert's relevant qualifications and experience, and

(ii) that the contamination expert's report identified no groundwater risk, or

(iii) that the requisite measures have been implemented.

(3) If, or to the extent that, the implementation of requisite measures is inseparable from the carrying out of underground work, the requirements of sub-paragraphs (2)(b)(ii) and (c)(iii) are complied with if, on completion of the underground work, the Defence Secretary gives the Secretary of State written confirmation that the requisite measures have been implemented.

Drainage and surface water

10.—(1) The Defence Secretary may not carry out relevant development that involves construction work unless the Defence Secretary has given the Secretary of State a document—

(a) prepared by a person appointed to assess and prevent risks associated with rainfall events in accordance with arrangements made under the CEMP (see paragraph 7(2)(l)(ii) (construction and environmental management plan)),

(b) setting out that person's relevant qualifications and experience, and

(c) certifying that the design of the surface water drainage scheme for the relevant development will ensure compliance with paragraph 5 (drainage and surface water).

(2) The Defence Secretary may not occupy or use any building or structure that forms part of relevant development unless the Defence Secretary has given the Secretary of State written confirmation that the surface water drainage scheme for the relevant development has been constructed in accordance with the design certified under sub-paragraph (1)(c).

Contamination risks or ordnance risks identified unexpectedly

11.—(1) In this paragraph, "relevant risk" means a contamination risk or an ordnance risk that has not been anticipated as a result of work undertaken to assess and prevent such risks.

(2) If a relevant risk is identified during the carrying out of relevant development—

(a) any activity that may exacerbate the relevant risk, in particular by causing contamination or pollution to spread, or unexploded ordnance to explode, must be suspended,

(b) a person appointed to assess and prevent contamination risks or, as the case may be, ordnance risks, in accordance with arrangements made under the CEMP (see paragraph 7(2)(l)(i) (construction and environmental management plan)), must—

(i) carry out an investigation and risk assessment in respect of the relevant risk, and

(ii) prepare a report for the Defence Secretary setting out the results of the assessment and any steps recommended to be taken to prevent the relevant risk, and

(c) the activity suspended under paragraph (a) must not be resumed until the Defence Secretary has—

(i) determined what steps, if any, recommended under paragraph (b)(ii) to take, and

(ii) taken those steps, or other, similarly effective steps, and given the Secretary of State written notice to that effect, including an outline of the nature of the steps taken, or

(iii) determined that there is no need to take steps in relation to the relevant risk, and has given the Secretary of State written notice to that effect, setting out the Defence Secretary's determination.

SCHEDULE 2

Article 3(1)(b)

Specified provisions of Schedule 2 to the 2015 Order

1. Part 1 (development within the curtilage of a dwellinghouse)

2. Part 2 (minor operations)

3. Part 4 (temporary buildings and uses)

4. Part 10 (repairs to services)

5. Part 11 (heritage and demolition)

6. Part 13 (water and sewerage)

7. Part 14 (renewable energy)

8. Part 15 (power related development)

9. Part 16 (communications)

10. Part 18 (miscellaneous development)

11. In Part 19 (development by the Crown or for national security purposes)—

(a) Class A (general development by the Crown)

(b) Class B (extension or alteration of an operational Crown building)

(c) Class C (developments on operational Crown land)

(d) Class D (hard surfaces for operational Crown buildings)

(e) Class G (development on operational land outside an airbase)

(f) Class K (use of land by the Crown in relation to surveys etc)

(g) Class Q (development by the Crown relating to an emergency)

(h) Class QA (development by the Crown relating to a pandemic)

(i) Class R (erection etc of gates, fences etc by the Crown for national security purposes)

(j) Class S (closed circuit television cameras for national security purposes)

(k) Class T (electronic communication apparatus etc for national security purposes)

SCHEDULE 3

Article 5(1)(a)

Contents of relevant submissions

General

1. A relevant submission must, in respect of the relevant development to which it relates, include the documents or information specified in each of the following paragraphs of this Schedule.

Description of development

2.—(1) A description of the relevant development, including, subject to sub-paragraph (2)—

(a) a plan, to an identified scale, showing—

(i) the location of the relevant development on the Order land;

(ii) the external layout of, and the means of access to, the relevant development, including the layout of any designated car parking spaces comprised in it;

(b) details of each building or structure comprised in the relevant development, including plans or drawings, to an identified scale, showing—

(i) in the case of a new building or structure, its proposed external height and width, drainage connections, and elevations;

(ii) in the case of an existing building or structure that is to be extended or altered, its external height and width, drainage connections, and elevations, both before and after its proposed extension or alteration;

(c) plans, to an identified scale, showing any—

(i) landscaping works, including tree planting, and

(ii) biodiversity enhancements,

associated with the relevant development;

(d) the amount of any net additional floorspace available for a use specified in paragraph 2(4)(b)(i) or (ii) (parameters) of Schedule 1 (conditions subject to which planning permission is granted) that results from the relevant development, calculated in accordance with paragraph 2(7)(d) of Schedule 1, including any negative value given by the formula in paragraph 2(7)(d) in a case where the amount of floorspace represented by B in the formula exceeds that represented by A in the formula;

(e) if the relevant development results in a change in the number of designated car parking spaces in buildings in, on, under or over the Order land, evidence that the relevant development complies with paragraph 2(4)(a) of Schedule 1;

(f) details of the amount of any floorspace, calculated by reference to the external dimensions of the building of which it forms part, in respect of which the relevant development will result in a relevant change of use, and whether the use of that floorspace will change—

(i) from living accommodation to another use;

(ii) from another use to living accommodation;

(g) details of the location, height and spacing of any lighting columns to be included in the relevant development.

(2) If, and to the extent that, the relevant development, or part of the relevant development, involves a relevant change of use, and does not involve the erection, installation, extension or alteration of a building, the documents or information specified in sub-paragraphs (1)(a) to (e) and sub-paragraph (1)(g) are not required to be included in respect of the relevant development or part.

Environmental analysis

3.—(1) An analysis of the likely materially adverse environmental effects of the relevant development on any of the following—

(a) flood risk and drainage;

(b) air quality;

(c) noise and vibration;

(d) ecology;

(e) townscape and visual amenity;

(f) lighting;

(g) traffic on relevant roads, as defined in paragraph 8(2)(c) of Schedule 1 (construction traffic management plan),

including an assessment of those effects and proposed mitigations for them.

(2) To the extent that the relevant development involves the erection, installation, extension or alteration of a building, a daylight, sunlight and overshadowing report in relation to that erection, installation, extension or alteration, prepared in accordance with—

(a) British Standard BS EN 17037:2018+A1:2021(**a**), and

(b) the Building Research Establishment publication entitled "Site layout planning for daylight and sunlight: a guide to good practice"(**b**).

Other planning permissions relied on

4. Details of any planning permission, including planning permission granted by the 2015 Order, that the Defence Secretary proposes to rely on in respect of any development that is associated with the relevant development but does not form part of it.

(**a**) Daylight in buildings, published by the British Standards Institution on 31st January 2022 (ISBN 978 0 539 20852 8), available from the British Standards Institution, https://knowledge.bsigroup.com.

(**b**) Site layout planning for daylight and sunlight: a guide to good practice, by P. Littlefair, S. King, G. Howlett, C. Ticleanu and A. Longfield, published by the Building Research Establishment on 8th June 2022 (ISBD 978 1 84806 483 6), available from the Building Research Establishment, https://bregroup.com/store/bookshop.

Human Rights Act

5. An assessment of how the carrying out of the relevant development will comply with section 6 of the Human Rights Act 1998(**a**) (acts of public authorities).

Public sector equality duty

6. A description of how the Defence Secretary has complied with section 149 of the Equality Act 2010(**b**) (public sector equality duty) in respect of the relevant development.

Other information required by the Secretary of State

7. Such other information or documents as are necessary for the purpose of deciding whether to give relevant approval, as notified in writing by the Secretary of State to the Defence Secretary.

(**a**) 1998 c. 42. There are amendments that are not relevant to this Order.
(**b**) 2010 c. 15.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order grants planning permission for the carrying out of certain classes of development at Northwood Headquarters, for the purpose of national defence, by or on behalf of the Secretary of State for Defence. The border of the land to which the Order applies (the "Order land") is shown on a map, a copy of which is available for inspection, by appointment, at the Ministry of Housing, Communities and Local Government, 2 Marsham Street, London, SW1P 4DF, and online from www.gov.uk.

Article 3(1) preserves the application to the Order land of certain permitted development rights set out in provisions of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015(**a**) that are listed in Schedule 2 to the Order. These provisions apply subject to a modification specified in article 3(2).

Article 4(1) grants planning permission for material changes in the use of buildings or other land, for the retention of existing buildings for which temporary planning permission has previously been given, and for building and other operations of the types described in article 4(2). This last category includes the construction of offices, working spaces, living accommodation, car parking, and other facilities and amenities for specified categories of persons among those resident or working on, or visiting, the Order land. The planning permission granted by the Order is subject to the conditions in Schedule 1.

Article 5 requires the Secretary of State's approval to be given before most development that is to be carried out under the article 4(1) planning permission is carried out (approval is not required for changes of use unless they are a "relevant change of use" as defined in article 2). Before such approval can be given, the Secretary of State must receive certain documents and information (see Schedule 3). Approval may be given by reference to such documents, and subject to conditions.

Article 6 sets out a procedure under which the Secretary of State may approve amendments or replacements of "approved documents" (defined in article 2), documents for which the Secretary of State's approval is required and has not previously been given, or the variation, replacement or removal of conditions subject to which other approvals provided for in the Order have been given.

Article 7 requires the Secretary of State to make publicly available various documents referred to in the instrument, except to the extent that the Secretary of State considers that doing so may compromise the security of a building or structure in, on, under or over the Order land or the safety of those working or living in any such building or structure, or that it would otherwise be contrary to the national interest, having regard to considerations of defence, national security or international relations.

A full regulatory impact assessment has not been produced for this instrument: as the instrument does not regulate business activity, it is not in the scope of the Government's Better Regulation Framework.

For illustrative purposes only a plan of the land to which this Order applies is appended below.

(**a**) S.I. 2015/596, amended by S.I. 2016/332, 2016/765, 2016/1040, 2016/1154, 2017/391, 2017/571, 2017/619, 2017/1011, 2017/1012, 2018/119, 2018/343, 2018/695, 2019/907, 2020/330, 2020/412, 2020/632, 2020/755, 2020/756, 2020/1243, 2020/1459, 2021/428, 2021/467, 2021/814, 2021/1464, 2022/278, 2023/747, 2023/1110, 2023/1279, 2024/141, 2024/579.



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