



# **LOCAL DEVELOPMENT SCHEME**

**January 2015**

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## 1. Introduction

### *The Local Development Scheme*

- 1.1 This is the council's Local Development Scheme (LDS) - a guide to the documents setting out the council's planning policies. ~~This is the eighth annual review of the scheme and was approved by the cabinet member for infrastructure on 10 December 2014.~~
- 1.2 The Scheme lists existing and proposed planning policy documents and explains how the council will organise and manage its forward planning work over at least the next three years ~~as it continues to establish a Local Plan (formerly Local Development Framework) for Herefordshire.~~ The Scheme reflects the need to respond at the local level to the need for housing and other growth in the county over the next 20 years – taking into account the council's various other strategies, the way services will be delivered in the county and changes in legislation.
- 1.3 The Scheme will be kept up to date through regular reviews as these are required and to maintain a three year forward programme. This is the 9<sup>th</sup> occasion on which this has been reviewed.

### *What's in the Scheme*

- 1.4 Essentially the LDS is a list of documents with brief explanations of their subject matter and indicative timetables for their preparation where this is relevant.

### *National, regional and local contexts*

- 1.5 The national context changed following the Localism Act 2011 and the replacement of Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs) by the National Planning Policy Framework in 2012 and subsequent Planning Practice Guidance online. The Localism Act introduced a new series of measures for statutory planning at the local level. In Herefordshire this gives parish and town councils plan making powers.
- 1.6 After the abolition of “regional planning” through the Localism Act, a new body now exists in the form of the Marches Local Enterprise Partnership (LEP) to look at economic issues at wider than local level. This body is made up of Herefordshire, Shropshire and Telford and Wrekin Councils along with various business interests. The LEP published a Strategic Economic Plan (SEP) for the Marches (<http://www.marcheslep.org.uk/marches-sep>) in March 2014, and this represents the growth strategy for the areas covered by the councils. With respect to minerals and waste planning, two former regional bodies, namely the West Midlands Aggregates Working Party and the Regional Technical Advisory Body are continuing in operation for the time being to provide “larger than local” advice and monitoring for minerals and waste policies respectively.
- 1.7 Herefordshire Local Nature Partnership is a further new body that has government recognition. Its role is to strengthen local action, enable local leadership, raise awareness about the services and benefits of a healthy natural environment and contribute to the green economy, in particular by complementing the work of the LEP. It also has a role in contributing to the Local Plan.

- 1.8 At the local level, the Local Plan must reflect and integrate with other council (and other public sector) plans and strategies including the **Local Transport Plan**, the **Economic Development Strategy** and the **Local Investment Plan** (i.e. housing strategy).
- 1.9 The Localism Act 2011 introduced a new tier of plan-making opportunities for parish councils who will be able to prepare Neighbourhood Development Plans, Neighbourhood Development Orders and Community Right to Build Orders. Herefordshire has taken a proactive approach to neighbourhood planning and reference is made to the production of neighbourhood development plans within this LDS. Within Herefordshire only town and parish councils are the responsible bodies for producing neighbourhood development plans. ~~At the time of writing there are 87 designated “Neighbourhood Areas” in Herefordshire. This represents around 70% of parishes within the county. In addition, three plans have reached their draft stage at regulation 14: Eardisley, Staunton on Wye and Callow and Haywood. It is anticipated that the first neighbourhood development plans will be adopted in summer 2015.~~
- 1.10 Any neighbourhood development plan must be in general conformity with Herefordshire Core Strategy and, when adopted, will form part of the Local Plan. The additional measures within the Localism Act; Neighbourhood Development Orders and Community Right to Build Orders will, if approved, have the effect of granting planning permission for development.

## 2. The Local Plan

### *Development Plan Documents*

2.1 The **Unitary Development Plan** is the current Development Plan for the council. Its policies have been formally “saved”. They will continue in effect only if consistent with the National Planning Policy Framework and until replaced by those in the Local Plan.

2.2 At the centre of the Local Plan will be a number of statutory planning documents prepared by Herefordshire Council:

- **The Core Strategy**
- **Hereford Area Plan**
- **Other Development Plan Documents** – currently envisaged to cover Travellers’ Sites and Natural Resources; plus
- **Neighbourhood Development Plans** (produced by parish councils).

A description of these and the programme for their preparation is set out in section 3 below.

2.3 In relation to neighbourhood development plans, local communities, via their parish and town councils, can decide to bring them forward at any stage and it may not be possible to include a comprehensive list of such proposals within the LDS. A full list of neighbourhood development plans currently in production can be seen on the council’s website.

### *National and regional influences*

2.4 At the national level there are policies and guidance set out in the National Planning Policy Framework (NPPF), National Planning Practice Guidance and a number of supporting papers such as ‘Planning Policy for Traveller Sites’. These are not development plan documents but form material considerations in the determination of planning applications and must be taken into account when planning documents are prepared.

2.5 At the sub-regional and regional level there are policies and programmes of the Marches Local Enterprise Partnership, in particular in the form of its Strategic Economic Plan and Investment Prospectus. Advice and guidance (including minerals apportionments) will also be issued by the successor bodies to the West Midlands Aggregates Working Party and the West Midlands Regional Technical Advisory Body.

2.6 Another requirement of plan production is the “duty to co-operate” brought in by the Localism Act 2011. This requires local authorities to co-operate with adjoining authorities and other bodies to ensure that sufficient housing and employment opportunities are brought forward in each area, where possible.

### *Supplementary Planning Documents*

2.7 At a county level there will continue to be a role for Supplementary Planning Documents (SPD) including the ones already approved and adopted (as noted below). In particular the existing **Planning Obligations SPD** will need to be substantially revised and focussed on affordable housing and site specific matters once the Community Infrastructure Levy (CIL) Charging Schedule (see Para. 3.6 below) comes into effect.

— *Implementation*

~~2.8 One of the key tests of “soundness” for any development plan document is the means of its proposed implementation. To accompany the Core Strategy there will be an **Infrastructure Delivery Plan** (which is effectively a background paper/evidence base to the Core Strategy) and a **Community Infrastructure Levy Charging Schedule**. This latter document will be subject to consultation and a separate public examination following the adoption of the Core Strategy — see timetable in Para. 3.6.~~

— *Other documents*

~~2.9 In addition to those documents referred to in paragraph 1.11 parish councils may continue to prepare **parish plans** and/or **village design statements**. These will not have a statutory basis but where they contain provisions relevant to planning and set out community aspirations they may influence planning policy and decisions as material considerations, but will not have the formal status and weight of development plan documents or neighbourhood development plans.~~

~~2.10 Finally, in terms of the make-up of the Local Plan, there are three documents which do not contain policies but are, none the less, part of the multi-document package. They are the:~~

- ~~• **Statement of Community Involvement**~~
- ~~• **Annual Monitoring Report**~~
- ~~• **Local Development Scheme**~~

~~2.11 A **Statement of Community Involvement** has been formally adopted by the council in 2007 and sets out how the public are engaged in the various stages of the planning process, both for planning policies and for planning (and related) applications. This document is to be reviewed in the light of the introduction of neighbourhood development plans, Neighbourhood Development Orders and Community Right to Build Orders; changes to the council’s planning application neighbourhood notification procedures; and to include electronic forms of communication.~~

~~2.12 The **Herefordshire Annual Monitoring Report**, as its name suggests, is an annual assessment of progress on the Local Plan and other related matters. Most notably, it contains an annual update on the five year supply of land for house building.~~

~~2.13 The **Local Development Scheme** is this document which is also updated and published annually.~~

2.14 A feature of the planning system is the need for **sustainability appraisal** (SA) and **habitats regulations assessment** (HRA) in respect of development plan documents. The council publishes on its website, alongside the Unitary Development Plan and the emerging Local Plan, details of the SA and HRA documents and processes, with an explanation as to how these have influenced the development of the council’s planning policies. Neighbourhood development plans do not require sustainability appraisals but will require an environmental statement to show that the sustainability objectives in the NPPF have been met. Depending on the circumstances, they may require strategic environmental assessment (SEA) and/or a habitats regulation assessment.

### *Evidence Base*

- 2.15 There is a substantial evidence base covering a comprehensive list of topics which all contribute to the basis for the Local Plan. They include studies of economic viability, housing, employment, transport, open space, green infrastructure, water studies, minerals and waste, gypsies and travellers, and a variety of landscape and heritage documentation. They are all listed and available to download on the council's website.

### 3 The programme for preparing the Local Plan

3.1 This section gives a brief summary of each document and an indicative programme for its preparation.

#### *Development plan documents*

#### 3.2 **Herefordshire Core Strategy**

This sets out **strategic planning policies** to deliver the long-term vision for the whole county and will be accompanied by a **key diagram** and other supporting diagrams and plans to indicate general locations for strategic growth, especially of housing and employment land. Other development plan documents and neighbourhood development plans may include specific site allocations which will be identified on a separate **policies map** which has its own status as part of the development plan. The Core Strategy will also set out an overall monitoring framework which will be taken forward in detail in the subsequent development plan documents, annual monitoring reports and neighbourhood development plans. The anticipated preparation programme is:

<b>Herefordshire Core Strategy Programme</b>	
Submission	23 September 2014
Public Examination	Winter 2014/15
Inspector's Report	Summer 2015
Adoption	Summer 2015

#### 3.3 **Hereford Area Plan**

This document will set out key allocations of land for development and other policies to benefit the city of Hereford as the economic, administrative and cultural centre of the county. The plan will include a number of sites on the edge of Hereford which will be seen as "strategic" (sites of more than 100 dwellings) to achieve the economic growth of the city. The geographical area to which the development plan will relate will be defined as part of the issues and options stage of production. The balanced growth of Hereford is critical to the wellbeing of the city and county. It is proposed that joint working is undertaken to produce this document between Herefordshire Council and Hereford City Council with input from neighbouring parishes as appropriate. Work will begin on this document before the adoption of the Core Strategy. The plan will seek to ensure that growth is accommodated in a way which recognises, supports and shapes Hereford's "sense of place". The programme for this plan is focussed on 2015, following on from the adoption of the Core Strategy.

<b>Hereford Area Plan – Programme</b>	
Public consultation on issues and options	Summer 2015
Public consultation on preferred options	Autumn 2015
Council approval of submission document	Spring 2016
Pre-submission publicity	Spring 2016
Submission	Summer 2016
Public examination	Autumn 2016
Inspector's report	Winter 2016/17
Adoption	Winter 2016/17



### 3.4 Travellers' Sites Document (DPD).

Government has issued a supplement to its National Planning Policy Framework (NPPF) for traveller sites. It requires fair and equal treatment for travellers in the way that facilitates their traditional and nomadic way of life. This asks local planning authorities to make their own assessment of need, working collaboratively to develop fair and effective strategies to meet site needs, assessed over a reasonable timescale, promoting private provision although recognising that this will need to be supplemented with public provision, and reducing the number of unauthorised sites. Sites need to be in appropriate locations:

- to address under provision and maintain an appropriate supply;
- to reduce tension between settled and traveller populations;
- to include suitable accommodation for their health and wellbeing; and
- to protect local amenity and the local environment.

Herefordshire Core Strategy Policy H4 makes provision for the preparation of a Travellers' Sites Document recognising that it is not possible to be site specific at the level of its operation. It sets out those issues that should be covered within this document which will relate to the county boundary area. An assessment of the accommodation needs of gypsy and traveller communities across the county of Herefordshire is currently being prepared by consultants on behalf of the council and its outcomes will be used to inform the document.

<b>Travellers DPD – Programme</b>	
Public consultation on issue and options	Completed — Summer 2014
Public consultation on preferred options	Summer 2015
Council approval of submission document	Autumn 2015
Pre-submission publication	Autumn 2015
Submission	Winter 2015
Public examination	Winter 2015/16
Inspector's report	Spring 2016
Adoption	Spring 2016

### 3.5 Natural Resources Development Plan Document (DPD).

This document would cover matters concerning minerals and waste in particular, with an option to broaden it out to include water quality and conservation, non-mains sewerage and the various forms of renewable energy. Guidance upon minerals, including defining **mineral safeguarding areas** is set out in Government's NPPF, and the Managed Aggregate Supply System (MASS). This guidance also highlights the need for mineral planning authorities to co-operate in view of the fact that minerals can only be mined where they exist. The most pragmatic way to deal with this matter is through the Core Strategy proposing a development plan document on minerals to examine this issue in detail and look at apportionments post 2016 (see Policy M2 of the emerging Core Strategy). Similarly, detailed planning on waste matters will also be required for post 2016 (see emerging Policy W1), and hence it is prudent to allow for a DPD for waste. These policy areas could usefully be combined into one Natural Resources DPD to cover the county geographical area.

<b>Natural Resources DPD – Programme</b>	
Public consultation on issues and options	Summer 2015
Public consultation on preferred options	Autumn 2015
Council approval of submission document	Winter 2015/16
Pre-submission publicity	Winter 2015/16
Submission	Spring 2016
Public examination	Summer 2016
Inspector's report	Autumn 2016
Adoption	Autumn 2016

*Accompanying documents (not development plan documents)*

### 3.6 **Community Infrastructure Levy (CIL) Charging Schedule and Infrastructure Delivery Plan (IDP).**

These two documents will be critical to the implementation of the Local Plan and will relate to the county geographical area. The CIL charging schedule is subject to its own programme of consultation and public examination to follow on from the Core Strategy. The IDP sets out the various schemes and essential infrastructure needed to deliver the Core Strategy across the county. The IDP is essentially a background paper to the Core Strategy and, consequently, will not be consulted on as a separate entity. The public examination of the CIL Charging Schedule will test the assumptions behind the deliverability of the Core Strategy generally.

<b>Community Infrastructure Levy Charging Schedule – Programme</b>	
Preliminary draft charging schedule consultation	Spring 2015
Draft charging schedule consultation	Summer 2015
Council approval for examination	Autumn 2015
Public examination	Winter 2015/16
Inspector's report	Spring 2016
Adoption	Spring 2016

### 3.7 **Neighbourhood development plans**

Paragraph 1.12 outlines the opportunity available to town and parish councils to prepare neighbourhood development plans (NDP). At the time of writing (December 2014), a significant number of neighbourhood development plans are in preparation across Herefordshire. Herefordshire Council has taken a positive approach to neighbourhood planning and provides support and advice to those communities interested in producing plans to complement the Core Strategy and provide detailed policies and site allocations for parishes. A **Neighbourhood Plan Map** showing those parishes that are preparing neighbourhood development plans can be found on the council website. Although this is updated regularly, the Neighbourhood Planning Team will be able to advise on the current status of individual plans. Herefordshire Council has published a range of guidance to help parishes that wish to prepare neighbourhood development plans. In areas without a neighbourhood development plan, consideration will be given to the preparation of a site allocation document if deemed necessary. Bromyard is a case in point as the Town Council have decided not to prepare a NDP.

### ~~3.8 Supplementary planning documents (SPD) and supplementary planning guidance (SPG)~~

~~The Unitary Development Plan was accompanied by a number of supplementary planning guidance notes (SPGs) which still have the status of material planning considerations where relevant to particular development proposals. They are:~~

- ~~• Design and development requirements~~
- ~~• Re-use and adaptation of rural buildings~~
- ~~• Biodiversity~~
- ~~• Landscape character assessment~~

~~These remain relevant where they conform to the National Planning Policy Framework.~~

### ~~3.9 A number of supplementary planning documents (SPDs) have also been adopted and are likewise material to relevant planning proposals:~~

- ~~• Land at former Whitecross School: Development brief~~
- ~~• Edgar Street Grid: Design framework~~
- ~~• Planning obligations (See Para. 3.10 below)~~
- ~~• Model Farm, Ross on Wye: Development brief~~
- ~~• Polytunnels~~
- ~~• Archaeology and development~~

~~Again these remain relevant where they conform to the National Planning Policy Framework.~~

### ~~3.10 Planning obligations SPD~~

~~Once the Community Infrastructure Levy Charging Schedule is adopted the existing Planning obligations SPD will need revising to restrict it to site specific issues and affordable housing, but it will relate to the whole county.~~

<del>Planning Obligations SPD – Programme</del>	
<del>Consultation</del>	<del>Winter 2015</del>
<del>Adoption</del>	<del>Spring 2016</del>

### ~~3.11 Design guidance portfolio for Herefordshire~~

~~This will bring together design related guidance from a variety of sources including matters covering climate change, local distinctiveness and updating/replacing elements within the existing SPGs and SPDs as listed above. It will also serve the role of linking development issues raised in **parish plans** and **village design statements** so that they have a clear “chain of conformity” with the Local Plan. The intention is to bring forward a programme for new and updated guidance once the Core Strategy has been adopted to cover the whole county.~~

<b>Preparation of Design guide portfolio schedule</b>	
Consultation	Spring 2016
Agreed schedule	Summer 2016

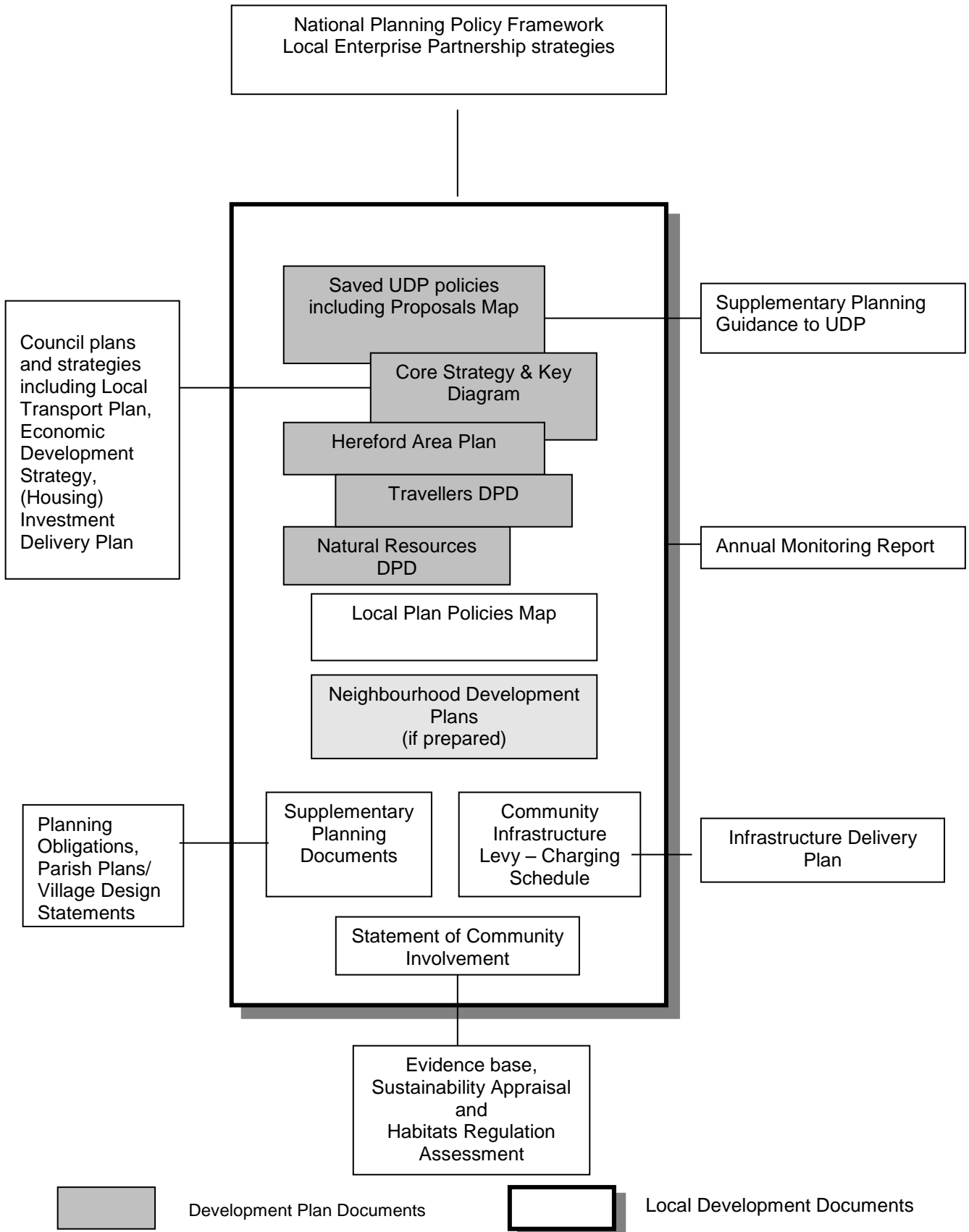
3.12 ~~Herefordshire Council has adopted **Hereford (Rotherwas) Enterprise Zone Local Development Order** (April 2013) indicating it will operate for an initial period of 4 years but anticipating it will be reviewed within 2 years of adoption. An early review is still anticipated in association with measures aimed at creating additional capacity on the strategic road network which currently constrains the industrial estate's development potential.~~

#### 4. Schedule of Development Documents to be Prepared

Document title	Status	Description	Chain of conformity	Key elements of Stakeholder Involvement	Public Participation on-Options	Submission to Secretary of State	Public Examination	Adoption
<b>Development Plan Documents which form part of the Local Development Scheme</b>								
Core Strategy	Development Plan Document (DPD)	Sets out the vision and objectives for the Local Plan, together with the spatial strategy.	Must be in general conformity with national planning policy and guidance	Core Strategy Issues – September – October 2007; Developing Options: June – August 2008; Place Shaping January – March 2010; Preferred Options July – August 2010; Revised Preferred Options September – November 2011; Core Strategy March – April 2013	Completed	September 2014	February 2015	– Summer 2015
Hereford Area Plan	Development Plan Document (DPD)	Sets out proposals for the delivery of sustainable housing and other growth at Hereford, including regeneration proposals within the urban area.	Core Strategy		Proposed Summer 2015	Proposed Summer 2016	Proposed Autumn 2016	Proposed Winter 2016
Travellers	Development Plan Document (DPD)	Sets out proposals for sites to accommodate any identified need for residential and transit sites for gypsies and travellers and sites for travelling showpeople.	Core Strategy		Completed	Proposed Winter 2015	Proposed Winter 2015/16	Proposed Spring 2016
Natural Resources	Development Plan Document (DPD)	Sets out detailed proposals for meeting the council's minerals apportionments and for managing waste	Core Strategy		Summer 2015	Proposed Spring 2016	Proposed Summer 2016	Autumn 2016
<b>Documents Outside the Local Development Scheme but part of the Local Plan</b>								
Community Infrastructure Levy Charging Schedule	Implementation document for the Core Strategy	Provides clear guidance on securing the means to implement infrastructure projects necessary for the overall strategy	Core Strategy		Proposed Spring and Summer 2015		Proposed Winter 2015/16	Proposed Spring 2016

Neighbourhood Development Plans	Neighbourhood Plans	Plans prepared by local communities (in this instance town and parish councils) in accordance with the Core Strategy	Core Strategy		See individual neighbourhood development plans - update on webpages	See individual neighbourhood development plans update on webpages	See individual neighbourhood development plans update on webpages	See individual neighbourhood development plans - update on webpages
Revised Statement of Community Involvement	Non-DPD document but part of the Local Plan	Provide the basis for public consultation and involvement in the various stages of the planning process	Local Plan					2015
Replacement Planning Obligations SPD	Supplementary Planning Document (SPD)	Provides further planning guidance in respect of planning obligations for affordable housing and other site-specific contributions not covered by the CIL	Core Strategy					-2016

**Diagram of the Local Plan for Herefordshire**



## 5. Contacts for further information

Council's website: [www.herefordshire.gov.uk/localplan](http://www.herefordshire.gov.uk/localplan)  
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