

LOCAL DEVELOPMENT SCHEME

Report By: Planning Policy Manager

Wards

Countywide

Purpose

1. To consider the third review of the Council's Local Development Scheme.

Financial Implications

2. The work programme set out in the Scheme is based on the availability of external funding for the Local Development Framework (LDF) via Growth Point and the Housing and Planning Delivery Grant from 2008/9 onwards.

Introduction

3. The Planning and Compulsory Purchase Act 2004 introduced new provisions and requirements for development planning. One of the requirements placed on local planning authorities is to publish a statement of how their forward planning work will be organised over a three-year period – known as the Local Development Scheme. The Scheme must be revised and rolled forward as necessary.
4. This Committee considered the first Scheme in 2004 and since then there has been a programme of annual reviews, linked to completion of the Annual Monitoring Report (AMR). Both the Scheme and the Annual Monitoring Report are approved by Cabinet, prior to submission to Government Office. Planning Committee received the most recent AMR at its meeting on 14th November 2008.
5. The Scheme has been reviewed in response to a number of factors and a copy of the revised document is attached for Committee's initial consideration.

The revised Scheme

6. The revised Scheme has been prepared to reflect the following factors:
 - The need to roll the Scheme forward a year and include revised proposals for local development documents, taking account of advice from Government Office (GO) and the Planning Inspectorate (PINS) as experience of implementing the new system is accrued.
 - The adoption of the UDP in March 2007, and the need to "Save" those policies which will need to continue in effect until the new Local Development Framework is completed
 - The need to address the emerging provisions in the current Phase 2 review of the Regional Spatial Strategy (RSS), notably new housing development for

the period up to 2026, responding to the higher level of house building required by Government. There is also continuing recognition in the RSS of the role of Hereford as a “settlement of significant development” (replacing the previous designation of Hereford in the RSS as one of five sub-regional foci for development).

- The need to take forward the partnership for growth with Government set out in the identification of Hereford as a ‘New Growth Point’, by addressing the delivery of housing growth in and around the City. The levels of growth will be confirmed through the current RSS review process.
 - Changes brought about by the revised Local Development Regulations (in June 2008) and the new Planning Act 2008 (in November 2008) especially with regard to the revised status of Supplementary Planning Guidance (which no longer forms part of the Local Development Scheme), the potential introduction of the Community Infrastructure Levy and new statutory requirements regarding good design and policies to combat climate change.
 - The increased emphasis being placed by GO and PINS on the development of a “sound” evidence base to underpin the LDF. Considerable work is underway across a range of topics in this regard, and this must be completed or progressed to certain stages in order to support the development of various LDF policy documents.
4. Note that preparation of this year’s Local Development Scheme has had to be held back to allow for the legislative changes in the Planning Act 2008, which received Royal Assent in the last week of November 2008.
5. The revised Scheme includes the following principal amendments:
- The Scheme now provides for just three Development Plan Documents: the Core Strategy, a Hereford Area Plan and a Market Towns and Rural Areas Plan
 - The Core Strategy is moving forward following the “Developing Options” consultation in the summer of 2008, with a view to preparing the submission document during 2009/10. Its timetable has had to be revised to take account of the delay to the Regional Spatial Strategy – which will not reach Examination in Public stage until April to June 2009 and will not be adopted before mid 2010. It is currently anticipated that the Core Strategy after that, during 2011.
 - Hereford Area Plan will be required for Hereford and its immediate environs, taking forward the City’s Growth Point status and RSS proposals for the City in an integrated manner and including the delivery of housing, employment and retail growth in a balanced fashion. It is intended to bring this forward for adoption following the adoption of the Core Strategy.
 - An equivalent allocations document will be required for the rest of the County and therefore a Market Towns and Rural Areas Plan is proposed. This will be the third DPD in the sequence, also to be adopted after the Core Strategy and the Hereford Area Plan, thereby recognising the needs created by the focus of growth on Hereford.

- In the light of the above the proposed target dates for adoption of the three DPDs are as follows:
 - i. Core Strategy – target adoption date 2011
 - ii. Hereford Area Plan – target adoption date 2012
 - iii. Market Towns and Rural Areas Plan – target adoption date 2013

 - Following the Planning Act 2008, SPDs are no longer included in the Local Development Scheme. This does not mean that all work on SPDs will cease. Indeed it is proposed that a new Supplementary Planning Document is introduced (currently with the working title of a Design Code for Herefordshire) to update the Design and Development Requirements SPG 2004 and bring it up to date with the latest guidance on climate change, design and the relationship to Parish Plans and Village Design Statements. This will form an integral part of the “Place Shaping” agenda at the site-specific level. It is also anticipated that, once the associated regulations have been published, work can also commence on a Community Infrastructure Levy Charging Schedule with the intention that it be adopted as soon as possible after the Core Strategy is adopted in 2011.
5. As work on establishing the Local Development Framework is underway, the UDP will continue to provide an overall policy framework. It will be necessary to apply to Government Office to allow relevant UDP policies to be ‘saved’ beyond March 2010 (when the three year transitional period expires), where these are needed to enable effective planning control and have not yet been superseded by elements of the new system. Work on the saved policies will commence in the summer of 2009.
6. Following approval by Cabinet, the revised Scheme must be submitted to Government Office with a four-week period for comment before it can come into effect. The date for the Scheme coming into effect is subject to possible variations arising from this process.
7. It is worth noting the various risk factors to achieving the Scheme’s programme:
- The availability of staff resource
 - Funding being available to support the timely and necessary development of the evidence base
 - The extent to which national and regional housing requirements are subject to change as the RSS review process continues
 - Linked to this, the RSS review proceeding to timetable
 - Further secondary legislative changes following the Planning Act 2008.

RECOMMENDATION

THAT the Committee endorse the Local Development Scheme and recommend its approval to Cabinet by the Cabinet Member (Environment and Strategic Housing).