

<b>MEETING:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>14 APRIL 2010</b>
<b>TITLE OF REPORT:</b>	<b>UNITARY DEVELOPMENT PLAN – SAVED POLICIES</b>
<b>PORTFOLIO AREA:</b>	<b>ENVIRONMENT &amp; STRATEGIC HOUSING</b>

**CLASSIFICATION:** Open

### **Wards Affected**

County-wide

### **Purpose**

To note the decision of the Secretary of State on the Saved Policies of the Unitary Development Plan.

### **Key Decision**

This is not a Key Decision.

### **Recommendation**

**THAT Committee:**

**Note the decision of the Secretary of State and continue to apply the Saved Policies accordingly.**

### **Key Points Summary**

- The Herefordshire Unitary Development Plan was adopted in 2007 and forms part of the Council's Policy Framework in accordance with the Council's Constitution.
- In accordance with the Planning and Compulsory Purchase Act 2004 old-style development plans cease to have any effect three years after they have been adopted unless the Secretary of State has issued a direction to the effect that the policies have been 'saved'.
- The relevant direction has now been issued and is appended to this report for information.
- Henceforth only the 'saved' policies can be taken into account in the determination of planning applications and any other relevant decisions under the Planning Acts.

## **Alternative Options**

- 1 There are no Alternative Options to this statutory requirement.

## **Reasons for Recommendations**

- 2 To inform Members of the revised policy framework following the decision of the Secretary of State.

## **Introduction and Background**

- 3 During 2009 the relevant procedures were undertaken to “Save” policies in the Unitary Development Plan. Reports were presented to Planning Committee, Cabinet and full Council because the selection of policies to be saved was a Key Decision. There is no consultation requirement in this process – the Secretary of State merely receives the list of policies which a local planning authority wishes to save, considers the list (and the reasons given) and then determines which policies shall be saved. In the case of the Unitary Development Plan the Secretary of State agreed with the list as submitted and has issued his direction accordingly.
- 4 The saved policies remain as part of the Development Plan for planning decision making purposes until such time as they are replaced by the emerging Local Development Framework. Members will be aware of the recent consultation on ‘Place Shaping’ which is an important step in the preparation of new planning policies. However, it is important to note that, at present, any emerging policies in the Local Development Framework have not yet reached the stage where they can be regarded as material planning considerations. That stage will not be reached until a new suite of policies is approved by full Council (currently anticipated towards the end of 2010). In the meantime, the saved policies in the Unitary Development Plan retain the significance accorded to them by Section 38 of the Planning and Compulsory Purchase Act 2004 and therefore retain their status in the determination of planning applications and other relevant planning decisions.

## **Key Considerations**

- 5 As set out above.

## **Community Impact**

- 6 Community impact was taken into account in the preparation of the Unitary Development Plan.

## **Financial Implications**

- 7 The principal financial impact will be the need to re-publish the Saved Policies in an appropriate form with the Proposals Maps. This will be achieved from the current Local Development Framework budget.

## **Legal Implications**

- 8 None.

## **Risk Management**

- 9 There are no new risks raised by this report.

## **Consultees**

10 None

## **Appendices**

11 The decision letter of the Secretary of State.

## **Background Papers**

- None identified.