



Herefordshire Council

LOCAL DEVELOPMENT SCHEME

December 2004

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1. Introduction

The Local Development Scheme

This is the Council's first Local Development Scheme - an accessible guide to the Council's planning policies. The Scheme is part of a new system of development planning, introduced by the Planning and Compulsory Purchase Act 2004. This provides for planning policies to be set out in a portfolio of documents which together will provide the Local Development Framework for an area.

Over the next few years, the Council's planning policies - presently set out in the Structure Plan, Local Plans and the emerging Unitary Development Plan, together with supporting Supplementary Planning Guidance, will be reviewed and taken forward into the new system.

This Scheme explains how the Council will organise and manage its forward planning work over the next three years as it establishes a Local Development Framework for Herefordshire.

What's in the Scheme

In the Scheme you'll find:

- A section explaining some of the terms used in the new system (section 2);
- A section setting out all the documents which form or will form part of the Local Development Framework in the period covered by this Scheme (section 3). Existing Plans, either adopted or in preparation, will be 'saved' as part of the Framework for a transitional period. This means they will still be used to determine planning applications. Two new local development documents are proposed. For these, the Scheme includes a schedule and profiles setting out the main stages in their preparation, including the arrangements for community involvement;
- A section dealing with existing and proposed Supplementary Planning Guidance, explaining how this will be dealt with in the transition to the new system (Section 4); and
- A supporting statement, which explains how all these documents work together and how the Council will manage their preparation (section 5).

National, regional and local contexts

The Council's planning policies have been developed within a strong context of spatial planning policies.

At national level, the Government's Planning Policy Statements set out national policies on key land use matters.

At regional level, the Regional Spatial Strategy was published as Regional Planning Guidance for the West Midlands (RPG11) in June 2004. The Regional Spatial Strategy runs to 2021. This end date will also be used by the new planning documents which the Council will begin to prepare within the period of this Scheme. Section 3 gives more detail on how existing Plans and proposed local development documents fit within the new Regional Spatial Strategy. Other regional policy documents, such as the Regional Housing and Economic Strategies and the Regional Sustainable Development Framework, have spatial dimensions and will need to be taken into account.

At local level, the Council's planning policies need to reflect and influence the Community Strategy, the Herefordshire Plan, as well as other local plans and strategies including the Local Transport Plan and the Economic Development and Housing Strategies.

2. The new system

This section is a brief guide to some of the main terms used in the new system and this Scheme. The new system provides for the Council to prepare a series of Local Development Documents (LDDs), collectively forming the Local Development Framework (LDF).

There are several types of LDDs. The most important are Development Plan Documents (DPDs), with a key role in the determination of planning applications. Supplementary Planning Documents (SPDs) offer further detail in support of DPD policies and proposals. Finally, there is the Statement of Community Involvement (SCI), which sets out how the Council will involve the community.

These and other terms are explained below.

AMR	Annual Monitoring Report	The Council's annual report to Government on progress in preparing the documents set out in the LDS, and on how far planning policies are being achieved.
-	Community Strategy/Plan	Drawn up by local partnerships to show how local areas will address social, economic and environmental issues. The Herefordshire Plan, drawn up by the Herefordshire Partnership, is the community strategy for the County.
DPD	Development Plan Document	The most important documents within the Local Development Framework, subject to independent examination and with 'development plan' status in the determination of planning applications. DPDs include: <ul style="list-style-type: none">• Core Strategy• Site specific allocations of land• Area Action plans• Proposals maps
LDF	Local Development Framework	A portfolio of LDDs which collectively set out the spatial strategy for the Council's area, balancing land use pressures arising from economic, social and environmental demands.
LDD	Local Development Document	DPDs, SPDs and the SCI are all Local Development Documents, collectively forming the LDF.
LDS	Local Development Scheme	The LDS sets out a 3 year programme for preparing LDDs.
RSS	Regional Spatial Strategy	Provides a spatial framework to inform the preparation of LDDs and Local Transport Plans by

local authorities, and of other strategies and programmes that have a bearing on land use, in order to deliver a coherent framework for regional development.

SA	Sustainability Appraisal	An assessment of the economic, social and environmental impacts of the policies and proposals in LDDs.
SCI	Statement of Community Involvement	Explains to local communities and other stakeholders how and when they will be involved in the preparation of LDDs. Subject to independent examination.
SEA	Strategic Environmental Assessment	An assessment of the environmental impacts of the policies and proposals in LDDs.
SPD	Supplementary Planning Document	These give more detail about the policies and proposals in DPDs. As a Local Development Document, they form part of the Framework, but do not have the status of DPDs.
SPG	Supplementary Planning Guidance	Prepared to offer more detailed guidance to Local Plans and the Unitary Development Plan, either by the Council itself or by local communities in the form of Village Design Statements/Parish Plans. Will be superseded by SPDs as the new system is introduced.

More details can found on the Office of the Deputy Prime Minister's website at www.odpm.gov.uk.

3. Local Development Documents

Saved plans

The following 'old style' Plans form part of the Framework until they are superseded by adoption of the Herefordshire Unitary Development Plan. They have the status of Development Plan Documents. They are:

- Hereford and Worcester County Structure Plan 1993
- The County of Hereford and Worcester Minerals Local Plan 1997
- Malvern Hills District Local Plan 1998
- Hereford Local Plan 1996
- South Herefordshire District Local Plan 1999
- Leominster District Local Plan (Herefordshire) 1998

Herefordshire Unitary Development Plan

The Herefordshire Unitary Development Plan (UDP) is intended to be adopted in December 2006, replacing the six Plans listed above. Objections to the Plan will be considered at a public local inquiry commencing in February 2005. The Plan will be progressed and adopted under the 'old style' procedures, with a modifications stage anticipated in 2006 following receipt of the non-binding Inspector's report.

The UDP has been prepared to ensure consistency with emerging Planning Policy Statements and has been drawn up in parallel with work on the new Regional Spatial Strategy, RPG11. Its policies and proposals have been developed to be consistent with those in the Regional Spatial Strategy for the period up to 2011 (the end date of the UDP). This particularly applies to the provision of housing overall and the Plan's housing strategy; to the Plan's employment policies, intended to help achieve rural renaissance, and to Plan housing, city centre and transport proposals designed to support and reflect Hereford's role within the Strategy as a sub-regional foci. Similarly the Plan's general policies on matters such as design, transport and the environment reflect principles set out in the Strategy. Throughout, the UDP has a strong emphasis on the delivery of sustainable development in Herefordshire, reflecting both the Regional Spatial Strategy and the ambitions of the community strategy, the Herefordshire Plan.

When adopted, the UDP will have the status of a Development Plan Document. It will be operative as part of the Framework for a three year period from the date of adoption. Discussions will be held with the Government Office as to whether the life of selected UDP policies can be extended beyond the three year period, taking into account the close links that exist between UDP policies and the Regional Spatial Strategy and the Herefordshire Plan. These policies will be identified through a future review of this Scheme.

This Scheme includes proposals for the preparation of a new Core Strategy, and this will replace the UDP's Part I policies when it is adopted.

New Local Development Documents

This first Scheme reflects the work required to progress the Unitary Development Plan to adoption and to prepare associated SPG. Adoption of the UDP and its status as a 'saved' Plan under the Act's transitional provisions will mean that the Council is able to comply with the Government's requirement to have a complete spatial plan in place by March 2007. Nonetheless, it is important to begin work on key aspects of the new system. Two documents, the Statement of Community Involvement and the Core Strategy, have been identified as important building blocks on which an early start should be made. They are listed in the following Schedule, Programme and Profiles.

Future work

It is important to look beyond the three year period covered by this Scheme and to indicate in general terms what work is proposed. This will be further detailed in future reviews of the Scheme (see section 5). At this stage, it is envisaged that Development Plan Documents dealing with the following areas will be considered for preparation, in order to take forward the Core Strategy DPD and replace selected policies in the Unitary Development Plan:

- Generic development control policies
- Housing land allocations
- Employment land allocations
- Proposals Map.

Initially, the Proposals Map will comprise those Maps in the saved Plans, to be replaced on adoption by the UDP Proposals Maps. The Map will be updated over time as new Local Development Documents are adopted.

The land use and spatial planning components of Village Design Statements and Parish Plans may be adopted as Supplementary Planning Documents, and thus form part of the Local Development Framework. To be considered for adoption on this basis, Statements/Plans need to comply with the conformity requirements of the new system and have undergone the requisite community involvement and sustainability appraisal. The Council is committed to working with Parish Councils and others in moving Statements/Parish Plans forward and will offer further guidance and advice as to the best way to proceed as the new system is brought into being. In the transitional period it is envisaged that Statements and Plans will continue to be brought forward as interim SPG to the UDP in the first instance (see section 4).

Joint working

It is not envisaged that any joint working with other local planning authorities in the preparation of local development documents will be required. Liaison with the Brecon Beacons National Park Authority will continue in respect of cross boundary planning issues arising at Hay-on-Wye/Cusop. Due regard will be paid to emerging LDFs for adjoining authority areas and to the Wales Spatial Plan in drawing up local development documents.

Document title	Status	Brief description	Chain of conformity	Pre-submission community involvement	Publication of draft	Submission to S of S	Proposed Date for adoption
Statement of Community Involvement	Local development document, subject to independent examination	Sets out standards and approach to involving the community in the production of the LDF	Must be in conformity with regulations	October - November 2005	N/A	June 2006	May 2007
Core Strategy	Development Plan Document (DPD)	Sets out the vision and objectives for the LDF, together with spatial strategy.	Must be in general conformity with RSS All other LDDs to be in conformity with Core Strategy	Issues and preferred options consultation, September - October 2006	N/A	September 2007	November 2008

Schedule of new Local Development Documents

	2005												2006												2007												2008												
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	
Statement of Community Involvement																																																	
Scoping and initial drafting																																																	
Presubmission community involvement																																																	
Preparation of submission document																																																	
Submission																																																	
Public consultation																																																	
Examination																																																	
Receipt of report																																																	
Adoption																																																	
Core Strategy																																																	
Evidence gathering and option drafting																																																	
Issues and preferred option consultation																																																	
Preparation of submission document																																																	
Submission																																																	
Public consultation																																																	
Examination																																																	
Receipt of report																																																	
Adoption																																																	

Programme of Local Development Documents

Local Development Document profiles

Statement of Community Involvement

Document details

Role and subject	Sets out the Council's standards and approach for the involvement of the community and stakeholders in the production of the Local Development Framework
Geographic coverage	County wide - and involves stakeholders outside Herefordshire
Status	Local development document, subject to independent examination
Chain of conformity	Must be in conformity with regulations

Timetable

Commencement, scoping and initial drafting	June - September 2005
Pre-submission community involvement and engagement with stakeholders (6 week period)	October - November 2005
Preparation of submission document	December - May 2006
Submission to Secretary of State	June 2006
Public consultation on submitted Statement (6 week period)	June - July 2006
Examination	January 2007
Receipt of report	March 2007
Adoption	May 2007

Arrangements for production

Lead service	Forward Planning, Planning Services
Management arrangements	Executive decision (Cabinet, following consultation with Planning Committee)
Resources	In house resources and existing budgets supplemented by Planning Delivery Grant. Consultants may be used to advise on overall approach and specific techniques in the initial stages.

Involving stakeholders and the community	The SCI will build on existing consultation work undertaken by the Council and will be set within the framework provided by the Strategy for Community Involvement. In addition the SCI will link to work with partners in the Herefordshire Partnership, providing links to community planning processes and hard to reach groups through the emerging Community Development Strategy.
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Core Strategy

Document details

Role and subject	Sets out the vision and objectives for the Local Development Framework, together with a spatial strategy, illustrated on a key diagram, for the period up to 2021 (in line with the Regional Spatial Strategy).
Geographic coverage	County wide
Status	Development Plan Document
Chain of conformity	Must be in general conformity with the Regional Spatial Strategy

Timetable

Commencement, evidence gathering and initial drafting of options, with stakeholder involvement	June 2005 - August 2006
Issues and preferred option consultation, including SA/SEA (6 week period)	September - October 2006
Preparation of submission DPD, including SA/SEA	November 2006 - September 2007
Submission to Secretary of State	September 2007
Public consultation on submitted DPD (6 week period)	September - October 2007
Examination	April 2008
Receipt of report	September 2008
Adoption	November 2008

Arrangements for production

Lead service	Forward Planning, Planning Services
Management arrangements	Council to approve Issues and Preferred Option consultation document; submission DPD, including consideration of representations arising from the Issues and Preferred Option consultation; and to adopt, all following proposal by Executive.
Resources	In house resources and existing budgets supplemented by Planning Delivery Grant.
Involving stakeholders and the community	As defined in the Statement of Community Involvement

4. Supplementary Planning Guidance

Supplementary Planning Guidance to the Local Plans

The Council has published a number of documents which provide supplementary guidance to planning policies in the existing Local Plans. These are:

- Reuse and adaptation of traditional rural buildings SPG (October 2000)
- Provision of affordable housing SPG (March 2001). A revised version of this Guidance was issued for consultation purposes in August 2004.
- Moreton on Lugg Development Brief (April 1999)
- Leominster Industrial Estate Development Brief (May 1999)
- Village Design Statements for Colwall, Cradley and Storridge, Leintwardine and Much Marcle.

These documents do not form of the Local Development Framework and it is not intended that they will be converted to Supplementary Planning Documents. They will remain as SPG to the relevant 'saved' Plan which they supplement. All have benefited from a range of consultation processes, which are detailed within them, and they have status as a material consideration.

Interim Supplementary Planning Guidance to the UDP

Other documents were published in July 2004 as interim SPG to planning policies in the UDP. They are:

- Design and development requirements SPG
- Reuse and adaptation of rural buildings SPG
- Biodiversity SPG
- Landscape Character Assessment SPG

Interim SPG has also been produced to offer planning guidance to UDP allocations and proposals. These documents are:

- Land opposite Sutton St Nicholas Primary School, Development Brief (November 2003)
- Tanyard Lane, Ross-on-Wye, Development Brief (October 2004)
- Frome Valley Haulage Depot, Bishops Frome, Development Brief (November 2004)
- SPG included within Rotherwas Management Plan (December 2004)

In addition, local communities have brought forward Village Design Statements and Parish Plans for adoption as interim SPG to the UDP:

- Village Design Statement for Ewyas Harold
- Parish Plans for Belmont Rural, Bishopstone Group Parish, Middleton on the Hill and Leysters, Pembridge and the Border Group of Parishes, Weobley and Wellington.

The above documents do not form part of the Local Development Framework and at this stage it is not intended that they will be converted to Supplementary Planning Documents. They will continue to be used as interim SPG to the UDP. They have benefited from a range of consultation processes, which are detailed within them, and will have status as a material consideration. Material in existing SPG may be incorporated into local development documents in due course.

Supplementary Planning Guidance in preparation

A number of further SPG documents are identified as required in the Unitary Development Plan. These are:

- Planning obligations
- Open space and recreation provision
- Transport infrastructure and design
- Site development briefs

These documents will be prepared and adopted as interim SPG to the UDP in the first instance. When the UDP is adopted, their conversion to SPD will be considered.

It is envisaged that Village Design Statements and Parish Plans will continue to be brought forward for adoption as interim SPG until the UDP is completed, when again the option of their conversion to SPD's can be considered. A number of parishes are working on Parish Plans within Herefordshire although the timing of their completion and presentation to the Council for adoption, either as SPG to the UDP or as SPD to an adopted Development Plan Document, is not known with sufficient certainty to identify individual documents and the timings associated with them within the Scheme. Similar considerations apply to Conservation Area character appraisals.

5. Supporting statement

How the Local Development Documents work together

The diagram overleaf illustrates how the various documents discussed in this Scheme will work together to provide a Local Development Framework for Herefordshire.

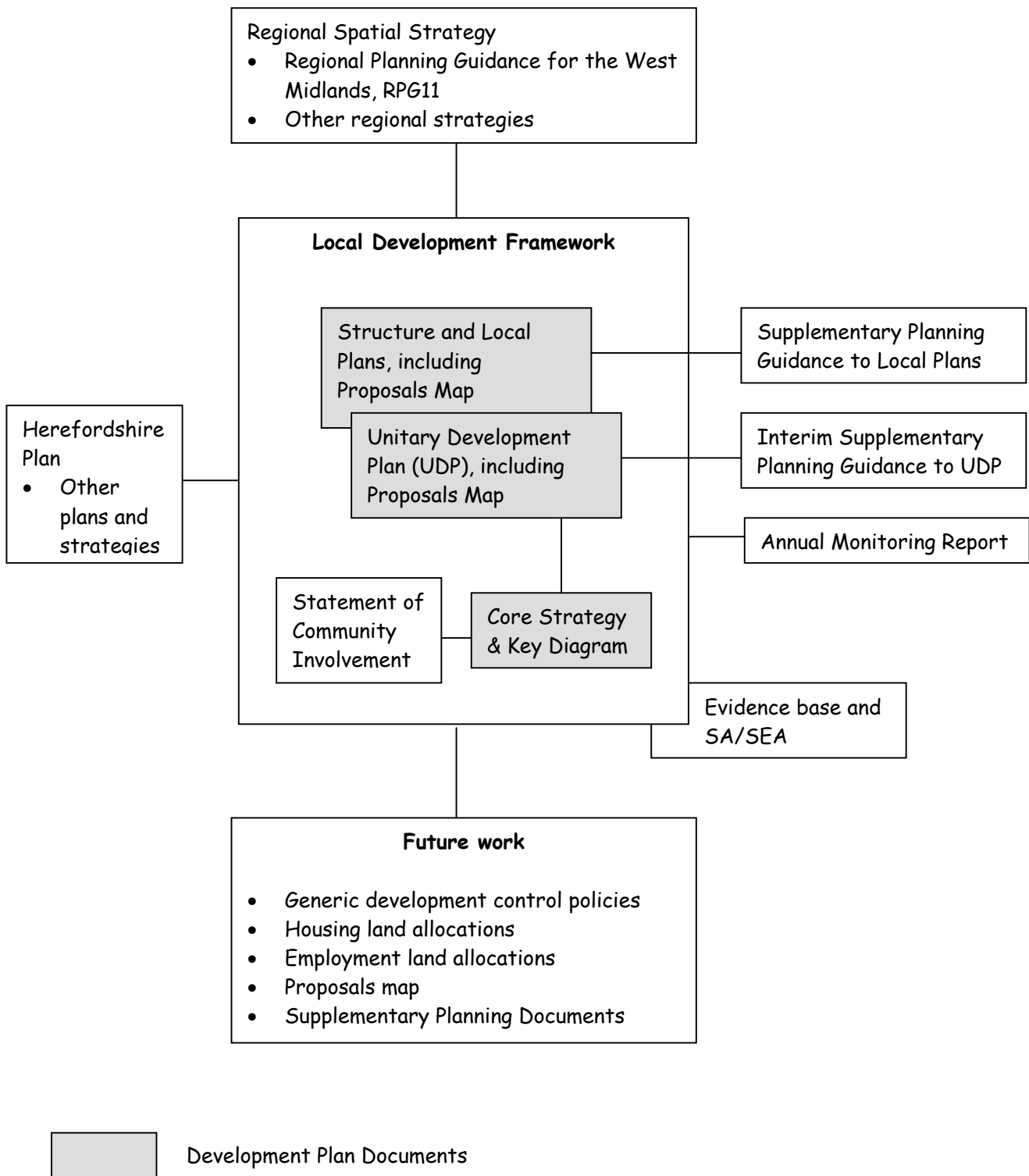
Evidence base

The Council already has a well established evidence base to use in developing its Framework. Much of this has been developed in drawing up the UDP and has been published as background papers during the UDP process. The evidence base has been further developed in responding to monitoring requirements on the Regional Spatial Strategy, and comprises the following resources and technical studies:

Title	Current edition	How the evidence base will be managed
Housing Land Study	2003-2004 study	Annual review
Housing Needs Studies	County wide study 2001. Studies for individual settlements as resources permit	Rolling programme of studies based on settlements
Urban capacity study	2004 review of original study in 2001	Monitored through Housing Land Study
National Land Use Database (NLUD)	2003 submission to national database	Annual review
Employment Land Study	2003-2004 study	Annual review
Open space study (PPG17)	Study in preparation using consultants	Periodic review
Regional monitoring of offices, retail, hotels/leisure, minerals and waste	Regional Planning Guidance Annual Monitoring report, 2004	Annual return to Regional Planning Body

Through the Annual Monitoring report (AMR) the Council will review the need to update these studies and to undertake or commission new work. Evidence on other topic areas will be obtained from other sources as required.

The evidence base feeds into and is supplemented by information collected for other Council and Herefordshire Partnership Strategies, including the Housing Strategy and the Economic Development Strategy.



The Local Development Framework for Herefordshire

Sustainability appraisal and strategic environmental assessment

Local Development Documents have to be prepared with a view to contributing to the achievement of sustainable development - the simple idea of seeking a better quality of life for everyone, now and for future generations. Planning authorities also have to meet the requirements of the European Union Directive on strategic environmental assessment (SEA). Sustainability appraisal (SA) is a systematic and iterative appraisal process, incorporating the requirements of the SEA Directive. The appraisal process has an important role to play in the production of Local Development Documents, ensuring that policies reflect sustainable development principles by providing information on the potential social, environmental and economic effects of policies. SA is an integral part of the production of both DPDs and SPDs from the outset, and at specific stages in the process of producing these documents appraisal reports will be produced to accompany for instance the submission of DPDs to the Secretary of State.

The Unitary Development Plan has been subject to SA at each stage of its production, with the most recent report comprising an appraisal of the Revised Deposit Draft in 2004. The SEA Directive will apply to the UDP if (as is expected) it is not adopted by 21 July 2006. In that event consideration will be required as to the need for further appraisal work to be undertaken to meet the requirements of the Directive.

Delivering the Framework

The planning policies set out in the Local Development Framework will be delivered in many ways. The refusal or grant of planning permission, and the use of planning conditions and obligations, will remain one of the most important means by which the Council's planning policies are implemented. However the new emphasis on a spatial planning approach - which seeks to reconcile competing demands for land in a planned way - means that working with others has become more important.

Here, the link between the documents comprising the LDF and the Herefordshire Plan - the Community Strategy - is all important. The Framework is a key mechanism for delivering the land use aspects of the Plan, but also provides a long term spatial context within which the Herefordshire Plan can be progressed.

The Herefordshire Plan is itself progressed through a series of Ambition Groups comprising representatives from partner organisations. The Groups deal with the full range of economic, social and environmental matters arising in the County. Land use implications arise in many of the Groups - for instance, in terms of regeneration initiatives, economic development, housing, health, education, waste, energy, and environmental protection.

The need to recognise the link between land use planning policy and the Herefordshire Plan has long been recognised. The UDP is already set firmly within the overall Community Strategy approach, sharing a vision with the Herefordshire Plan and helping to deliver the achievements of several Ambition Groups. These close links will be continued and strengthened as the LDF is established. The SCI for instance will build on existing community consultations undertaken by the Herefordshire Partnership and link to the work of the Community Development Ambition Group.

Council procedures for approval

The Local Development Framework forms part of the Council's overall Policy Framework as defined in the Constitution, as does the Unitary Development Plan. The Executive (Leader and Cabinet) has responsibility for proposing elements of the Policy Framework to Council, with the Cabinet Member (Environment) having responsibility for planning and land use matters (excluding development control, which is reserved to Planning Committee and the Area Planning Sub-Committees). The following responsibilities for approving documents within the new system have been defined within the Council's Constitution. These reflect the conformity arrangements applying to different documents within the Framework, and the fact that documents differ both in the extent to which they define policy and are used by Planning Committee/Area Planning Sub-Committees in the determination of planning applications.

Development Plan Documents: Council, following proposal by the Executive

Supplementary Planning Documents: the Executive, following consultation with Planning Committee. Where SPD's concern site specific matters being set out in advance of a planning application, e.g. development briefs, Planning Committee only.

Statement of Community Involvement: Cabinet, following consultation with Planning Committee

Local Development Scheme: Cabinet, following consultation with Planning Committee.

Monitoring and review

The new system incorporates an Annual Monitoring Report - the AMR. This must be compiled on a financial year basis and submitted to the Government Office by the end of the calendar year. The AMR tracks progress against the targets and milestones set out in this scheme for producing LDDs, and the extent to which policies in LDDs are being achieved.

The Council has produced annual reports on housing and employment land availability for a number of years and these will be developed over time to meet the requirements of the new system. Each year a report will be submitted to the Council's Cabinet via the Planning Committee that will:

- Specify to what extent the timescales set out in the LDS for the production of LDDs are being met
- Review the extent to which policies within LDDs are being achieved, focussing initially on key policy areas where information is available and where national, regional or local targets have been set.
- In particular, to reflect the Government's Sustainable Communities Plan, the AMR will report on the number of dwellings built in Herefordshire during the period covered by the Report and relate this to relevant LDD policies
- Consider whether any policies need amendment because they are not working as intended or are not achieving sustainable development objectives and, if so, suggest ways to achieve this

- Provide an up to date report on the status of 'saved' Structure and Local Plans and the Unitary Development Plan
- Consider the need to review the LDS in the light of the AMR. The Scheme will be revised each time the list of Local Development Documents changes, either by addition of a new proposed Document or through significant revision to the timetable for the preparation of a Local Development Document.

Monitoring is undertaken within the Forward Planning section of the Council. The Herefordshire Partnership carry out a monitoring exercise against the ambitions and aims of the Herefordshire Plan which is published as a regular 'State of Herefordshire' Report. Over time, the monitoring of planning policies set out in the AMR will need to be aligned with that carried out on the Herefordshire Plan, reflecting the role of the LDF as the key delivery mechanism for those Herefordshire Plan ambitions with a spatial dimension.