

# Local Development Scheme

May 2023



## 1.0 Introduction

- 1.1 This is the Local Development Scheme (LDS). It is a guide to the documents that set out the Council's planning policies.
- 1.2 The LDS lists a suite of documents (existing, emerging or proposed), that make up the Herefordshire Development Plan. It sets out how the Council will organise the preparation of these forward planning documents over the coming years.
- 1.3 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 and possibly beyond – taking into account the Council's various other strategies, including the recently published County Plan (2020-2024), and the way services will be delivered in the county and changes in legislation.
- 1.4 This document is regularly reviewed in order to keep it up to date and to maintain a 3 year forward programme of work. This is the 13<sup>th</sup> occasion on which this has been reviewed.

### *What is in the Local Development Scheme?*

- 1.5 The Local Development Scheme lists the suite of documents that make up the Herefordshire Development Plan. Each listing includes an explanation of the document's subject matter, where it fits into the Local Plan structure and indicative timescales for its development.

### *National, regional and local context*

- 1.6 The national context has changed following the update of the National Planning Policy Framework in July 2021, 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.
- 1.7 The Marches Local Enterprise Partnership (LEP) addresses economic issues at a 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 region, which was updated in May 2019, and this represents the growth strategy for the areas covered by the councils.
- 1.8 With respect to minerals and waste planning; two former regional bodies, namely the West Midlands Aggregates Working Party and the West Midlands Resource Technical Advisory Body, are continuing to meet, providing "larger than local" advice and monitoring for minerals and waste planning authorities respectively.
- 1.9 Herefordshire Local Nature Partnership is also a 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.
- 1.10 At the local level, the Local Plan must reflect and integrate with other council (and other public sector) plans and strategies including the **County Plan 2020-2024**, **Local Transport Plan**, the **Economic Development Strategy** and the **Local Investment Plan** (i.e. housing strategy).

- 1.11 The Localism Act 2011 introduced a new tier of plan-making opportunities for parish councils, who can prepare Neighbourhood Development Plans (NDPs), Neighbourhood Development Orders and Community Right to Build Orders. Herefordshire enjoys a high take-up rate of Neighbourhood Planning. The Council has taken a proactive approach to neighbourhood planning, and reference is made to the production of NDPs within this LDS. Within Herefordshire, only town and parish councils are the responsible bodies for producing NDPs.
- 1.12 Any NDP 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.

## **2.0 The Local Plan**

- 2.1 The current adopted Herefordshire Local Plan Core Strategy was adopted in October 2015, and outlines the overarching strategic proposals and planning policies for the county, to be delivered by the Local Plan up to 2031. As is required by paragraph 33 of the revised NPPF, at 5 years old, a comprehensive revision to the Core Strategy will be required, which is currently underway.
- 2.2 Three other planning policy documents were being prepared as part of the Local Plan in line with the existing Core Strategy. These comprised:
- Hereford Area Plan (HAP) – policies and strategic proposals relating more specifically to the city of Hereford and surrounding.
  - Rural Areas Site Allocations Development Plan Document (RASADPD) – strategic site allocations and development boundaries for rural growth settlements listed in the Core Strategy that are not producing NDPs, to deliver proportional housing growth targets.
  - Bromyard Development Plan – policies and strategic proposals relating more specifically to the market town of Bromyard.
- 2.3 The preparation of these documents will not be continued, as they are being produced to comply with the policies of the existing Core Strategy, and will therefore be out of date. It is expected that the policies and strategic proposals relating to these areas will be incorporated into the new Local Plan. Work that has already been produced as part of the development of these documents (housing site assessments, for example) can be used as evidence base where this is relevant and sufficiently up to date.
- 2.4 The structure of the Local Plan and the relationships between the documents that it comprises of, with other Council strategies and with associated non-policy documents are explained in the below diagram.

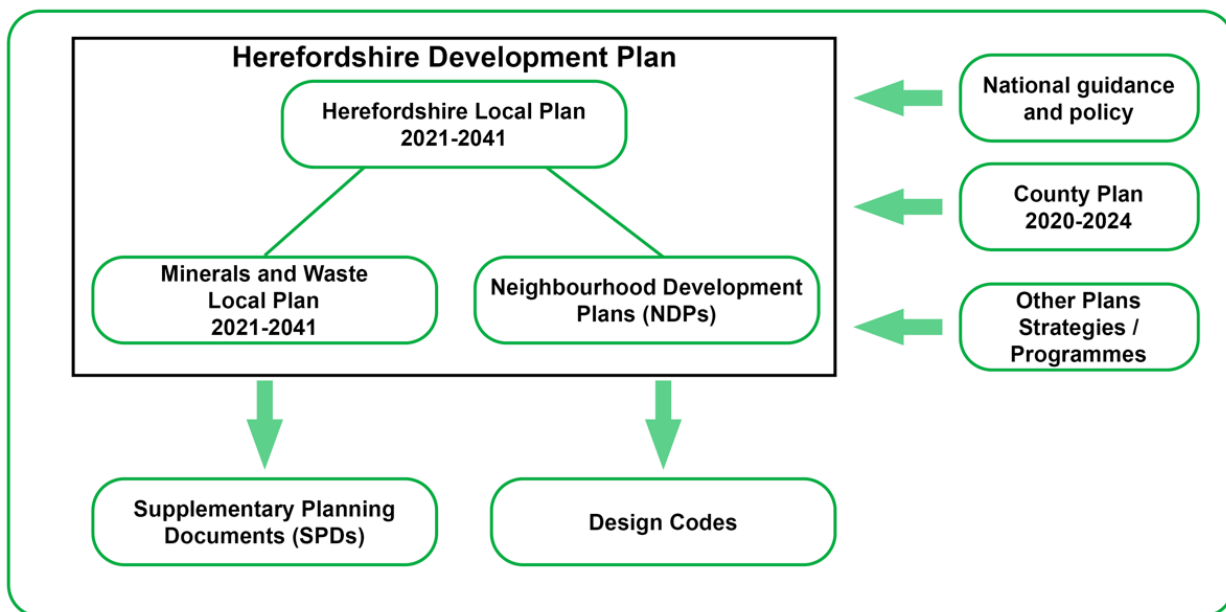


Figure 1.1: A diagram setting out the structure and relationships between the documents that form Herefordshire's Local Plan

- 2.5 This Local Development Scheme, Statement of Community Involvement and Authority Monitoring Reports do not contain any policies, but they are part of the package of documents that form the Local Plan.
- 2.6 A feature of the planning system is the need for **sustainability appraisal (SA)** and **habitats regulations assessment (HRA)** in respect of development plan documents. 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

- 2.7 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.

### 3.0 Schedule of Documents

- 3.1 Below are details of the documents that form the Local Plan, and the indicative timescales for their development.

#### Herefordshire Local Plan 2021-2041

- 3.2 The Local Plan sets out the overarching objectives, spatial development strategy and strategic proposals for the county over the period from 2021-2041. The existing Core Strategy (2011-2031) was adopted in 2015 and has, in line with national policy, been reviewed following 5 years. The review has concluded that a comprehensive revision to the Core Strategy is required.

3.3 The Local Plan revision is being produced in two parts. Part 1 includes:

- A vision for Herefordshire at 2041
- A set of objectives to deliver that vision
- A strategy which explains the approach to all development in the county
- Strategic policies that set out requirements for how development must be delivered across the whole county and
- Place shaping policies which are specific to development for Hereford, for the market towns and in the rural areas.

3.4 The Local Plan Part 2 will follow. This will include development management policies and site allocation for Travellers. The extent and detail of these policies will be dependent upon the outcome of the government's national planning reforms which are indicating National Development Management Policies will be introduced. These have yet to be finalised. Consideration will be giving to 'saving' some of the development management policies of the Core Strategy where they are still in conformity within the PPG in the short term.

3.5 The current timescales for delivering the Herefordshire Local Plan are as follows:

Part 1:

- Spatial Options consultation – this was carried out in between January and February 2022 with Strategic option 3: Focus Growth across Hereford and the Market Towns being the preferred option.
- Policy Options consultation (covering issues around housing provision, the economy, the environment and town centres) – this was carried out in between April and May 2022.
- Place Shaping Consultation (broad strategic development locations and rural settlement hierarchy) – this was carried out in between June and July 2022 and included a number of roadshows throughout Herefordshire.
- Draft Local Plan Part 1 Regulation 18 Consultation - June and September 2023.
- Regulation 19 submission consultation - Summer 2024
- Submission to Secretary of State – Autumn 2024
- Public Examination – Spring 2025
- Inspector's Report and Adoption – Autumn 2025

Part 2:

- Draft Local Plan Part 2 Regulation 18 Consultation – Winter 2024
- Regulation 19 submission consultation - Winter 2025
- Submission to Secretary of State – Summer 2025
- Public Examination – Winter 2025
- Inspector's Report and Adoption – Spring 2026

### *Travellers' Sites Development Plan Document*

- 3.6 The Travellers Sites DPD forms a separate plan that sets out to deliver on the objectives of policy H4 of the current Core Strategy. It plans for the needs of the Traveller Community (Gypsies, Travellers and Travelling Show People) for the plan period to 2031. It makes site-specific allocations for new pitches, and sets out planning policies for the consideration of additional pitches for Travellers and Travelling Show People.
- 3.7 Following receipt of the Examiner's Report on 24 June 2019, the Travellers' Sites DPD was adopted by Council on 11 October 2019.

### *Minerals and Waste Local Plan*

- 3.8 The emerging Minerals and Waste Local Plan (MWLP) sets out planning policies relating to mineral resources and waste management development across the county, and any land allocations for this purpose up to 2041 and beyond.
- 3.9 The Minerals and Waste Local Plan (MWLP) is still in its formal period of Examination. Public hearings took place at the end of 2022, however, the Inspectors have one outstanding issue, on which they are working with the Council to resolve, ahead of a public consultation on the Inspectors' Schedule of Main Modifications. It is anticipated that the consultation will take place later this Spring, following which, the Planning Inspectors will publish their Report. Adoption of the MWLP will take place later in the year, once approved by Council.

### *Herefordshire Neighbourhood Development Plans*

- 3.10 Herefordshire has a high take-up rate of Neighbourhood Development Plans (NDPs). These vary in the areas they cover, from different sized rural parishes to market towns. These allow communities to shape planning policy and guide development in their local areas, conforming to the strategic proposals and policies of the Core Strategy.
- 3.11 At May 2023, there were 113 Neighbourhood Plan areas designated across the county, with 89 NDPs adopted/made and forming part of the statutory Local Plan.
- 3.12 For the most up-to-date list of areas involved in Neighbourhood Planning and the respective progress of their NDPs, please consult the below [webpage](#)

### *Community Infrastructure Levy*

- 3.13 The ability of Local Authorities to develop a local Community Infrastructure Levy (CIL) has been in place since April 2010.
- 3.14 Herefordshire Council developed a preliminary draft charging schedule in March 2016, however this has not been adopted following a review by central government into developer contribution systems in October 2016. On the advice of consultants, progression to adoption was paused pending the outcome of this review. New CIL regulations subsequently took effect from September 2019.
- 3.15 At the Council meeting of 12 July 2019, there was a Notice of Motion under Standing Orders passed by the Council that asked the executive to investigate the adoption of CIL as a matter of urgency. However, as the evidence gathered to develop the draft CIL was from 2015, this



could no longer be considered to be up-to-date enough to be reliable, and could run contrary to the proposals of the emerging updated Core Strategy.

#### *New Infrastructure Levy*

- 3.16 The Government proposals for a new infrastructure levy will look to replace the existing system of CILs and Section 106 contributions and will be introduced as part of the Levelling Up and Regeneration Bill. It is intended to ensure that local authorities achieve their fair share of contributions. A Technical consultation, which will inform the design and regulations of the Infrastructure Levy, was launched in March 2023 by the Department for Levelling Up, Housing and Communities (DLUHC). Therefore, it is recommended that the outcome of these reforms are certain before any decision is taken to allocate resources to developing a new CIL for Herefordshire.

#### **4.0 Supplementary Planning Documents (SPDs)**

- 4.1 There are also a number of supplementary documents, existing and to be prepared, to support the Local Plan. These provide additional guidance and expand upon the policies of the Local Plan. Unlike the policy documents they support, these are not subject to formal examination process, but do undergo public consultation.
- 4.2 At the time of writing, there are currently 2 SPDs that are adopted and in use.
- The “Planning Obligations SPD” was adopted in 2008 to support the Unitary Development Plan (UDP), which as of October 2015 has been replaced by the Core Strategy. There is a section in the document entitled “Affordable Housing” and it sets out how affordable housing can come forward as part of Section 106 agreement. As policy and guidance on affordable housing has moved on since then, the council prepared an Affordable Housing SPD to update the position, which was adopted in 2021.
  - “Polytunnels planning advice” note was written in 2018 although subject to consultation this was not aligned to specific local plan policies and therefore has not been adopted as SPD.

#### *SPDs currently being prepared:*

- Environmental Building Standards – A public consultation was carried out in between March and April 2022. The finalised SPD has been drafted but not yet adopted. There are ongoing decisions to whether the SPD will be adopted or integrated within the Local Plan part 2 policies and the design code.
- Planning and Agriculture – A public consultation was carried out in between November 2022 and February 2023. The responses received are currently being reviewed and a decision will be taken as to whether the SPD will progress to adoption or whether some elements of it will be incorporated into the Local Plan part 2.
- Hereford Design Guide.

## 5.0 Herefordshire Design Code

- 5.1 A countywide Herefordshire Design Code will be produced to complement the Local Plan. This will cover the strategic and larger scale themes of the National Model Design Code in relation to Herefordshire. It is expected that more local level design codes will be produced through the review of Neighbourhood Development Plans.
- 5.2 The current timescale for the delivery of the Herefordshire Design Code is as follows:
- Stage 1 Analysis - Summer 2023
  - Stage 2 Vision – Winter/Spring 2023/24
  - Stage 3 Code – Spring/Autumn 2024
  - Examination – Winter /Spring 2026

### Contact Details

- 5.1 If you require any help understanding the above or have any questions regarding the Local Development Scheme, please contact us on the below details.

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