

Shaping Our Place 2026

Local Development Framework

Core Strategy Cross Boundary Issues Report

December 2009

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1.0 Introduction

- 1.1 A new planning system was introduced during October 2004. This replaces local plans with Local Development Frameworks (LDF). The LDF can be regarded as a portfolio of various planning documents, which can be developed and progressed separately.
- 1.2 Local planning authorities are required to produce a Core Strategy as part of the LDF process and the Government's intention is that these should be coherent with the LDF strategies of neighbouring authorities in England and the Local Development Plan (LDP) strategies in border Welsh authorities, where cross boundary issues are relevant.

Purpose of report

- 1.3 The purpose of this report is to appraise the spatial strategies prepared by neighbouring authorities at an early stage, in order to identify any cross boundary planning issues. This is particularly important as what is happening in the adjoining English counties and Wales, impacts on Herefordshire in many ways. People living in neighbouring parts of Shropshire, Worcestershire and Powys may use health, education and training facilities in Herefordshire and shop in Hereford City and the five market towns and vice versa. For housing and labour markets, the county's administrative boundaries are entirely irrelevant.
- 1.4 All these factors require an understanding of the potential linkages, policies and strategies that exist and emerge at the county's administrative boundaries and beyond, as well as active engagement in their development.

Structure of Report

- 1.5 The structure of the remainder of this report is as follows:
 - Background and Context;
 - Matters for Consideration;
 - Working with Herefordshire's Immediate Neighbours;
 - Conclusion.

2.0 Background and Context

- 2.1 In October 2004, the Government introduced a new town and country planning system called the Local Development Framework (LDF), which will eventually replace the existing Herefordshire Unitary Development Plan (UDP), adopted in March 2007. A variation on this approach exists in Wales where there will be a Local Development Plan (LDP) for Unitary Authorities.
- 2.2 The new system is aimed at making the planning process much simpler, while speeding up the production of planning documents and ensuring that the community has greater involvement in the process.
- 2.3 The emerging Core Strategy will be one of the key LDF documents, as it will provide the spatial framework for future development and land uses within Herefordshire, setting out the broad locations for delivering new housing and

other important strategic development needs such as employment, retail, leisure, community, public services and transport.

- 2.4 The revised Planning Policy Statement 12 (PPS12): Local Spatial Planning advises that the Core Strategy will be subject to a rigorous procedure of Independent Examination to test the soundness of the document and ensure that the necessary legal requirements for its preparation have been undertaken. There are currently three tests of soundness, all of which the emerging Core Strategy must pass in order to ensure it is sufficiently robust to be adopted.
- 2.5 To be sound a Core Strategy should be:
1. Justified;
 2. Effective; and
 3. Consistent with national policy
- 2.6 The criteria relating to the deliverability of the Core Strategy and its flexibility can pose particular difficulties, because the onus is on the council to scrutinise the development plans prepared by neighbouring authorities, and to tailor its own Core Strategy accordingly.

Conformity with regional plans

- 2.7 The emerging Core Strategy should be in general conformity with the regional policies issued by the Secretary of State responsible for planning. These are set within a Regional Spatial Strategy (RSS) which aims to address the links between economic, social and environmental issues and set a coherent policy framework to guide where and when development should happen across the region.
- 2.8 The West Midlands Regional Spatial Strategy (WMRSS) is part of the development plan for Herefordshire. It seeks to promote the creation and development of sustainable communities across the region and there are four themes which underpin this objective:
- Urban Renaissance;
 - Rural Renaissance;
 - Diversifying and modernising the region's economy;
 - Modernising transport infrastructure.
- 2.9 In approving the WMRSS in June 2004, the Secretary of State identified a number of policy issues that needed to be addressed in future revisions to the document.
- 2.10 Given the range of matters to be considered, the volume of work and long timescales involved, the West Midlands Regional Assembly (WMRA) as the regional planning body, agreed that the issues raised by the Secretary of State should be looked at in three partial and phased revisions: Phase 1, Phase 2 and Phase 3. The Phase 1 revision is already incorporated into the latest edition of the RSS dated January 2008.
- 2.11 The WMRA submitted the Phase 2 Preferred Option to the Secretary of State in December 2007 before entering into a lengthy period of consultation, which

resulted in approximately 4,150 points of response. Thereafter the regional assembly set about arranging, conducting and reporting the Examination in Public (EiP) as expeditiously as possible.

- 2.12 The EiP into the Draft Revision was held at Molineux Stadium in Wolverhampton between April and June 2009 and involved over 180 organisations. Following the close of the EiP the WMRA completed and submitted the Phase 2 Panel Report via the Planning Inspectorate. This report is yet to be sanctioned by the Secretary of State and represents only a partial revision of the RSS. However, the issues it raises are far reaching and varied.
- 2.13 The Place Shaping Paper (January 2010), the latest stage in the development of the Herefordshire Core Strategy, takes on board the recommendations of the Panel Report into the RSS Phase 2.

Wales Spatial Plan

- 2.14 The emerging Core Strategy must also have regard to the Wales Spatial Plan Update, published in February 2008. This updated version of the 2004 Wales Spatial Plan highlights the need for collaborative working with neighbouring English regions. The plan is in some respects similar to an RSS in England, but is less prescriptive and broader than land use planning, setting out a wider ranging spatial vision and strategy.
- 2.15 Among other things, the Wales Spatial Plan Update places an emphasis on growth and regeneration in the Heads of the Valleys region of south Wales. Improvements to the transport infrastructure, particularly the dualling of the A465 road are seen as vital to the economic regeneration of the Heads of the Valleys area, but whether or not this scheme will generate significant cross border issues remains to be seen. The proposal could affect linkages between Herefordshire and Cardiff.

3.0 Matters for Consideration

- 3.1 As mentioned previously, the emerging Core Strategy is legally obliged to take account of neighbouring development plans where cross boundary issues are relevant.
- 3.2 A total of six adjoining local planning authorities, all of which are at varying stages of their development plan production, are required to routinely consult this council as part of their development plan preparation. They are:
- Malvern Hills District Council;
 - Forest of Dean District Council;
 - Shropshire Council;
 - Monmouthshire County Council;
 - Powys County Council.
 - Brecon Beacons National Park Authority;



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Figure 1: The counties adjoining Herefordshire

- 3.3 Adjoining strategic authorities include Worcestershire County Council and Gloucestershire County Council, both of which deal with waste and minerals matters.
- 3.4 There is a Joint Municipal Waste Management Strategy for Herefordshire and Worcestershire and this has had great success. Residents' have helped to meet its aims through reducing the amount of waste thrown away and by increasing the amount of waste recycled to over 30%. However, since the strategy was published in 2004 issues such as climate change and resource efficiency have become ever more important. The strategy has therefore been reviewed and updated by the councils to reflect these urgent challenges.

- 3.5 Also of importance is that Herefordshire contains parts of two protected landscapes which are recognised as being of national importance; the Wye Valley AONB and the Malvern Hills AONB. The emerging Core Strategy must ensure a consistency of approach to development within both areas.

Wye Valley AONB

- 3.6 The valley of the River Wye between Hereford and Chepstow is one of the most significant lowland landscapes in Britain. A rich combination of spectacular views, impressive geology, historic legacies and diverse wildlife led to the designation, in 1971, of the valley and adjoining plateau and hills as an Area of Outstanding Natural Beauty (AONB).
- 3.7 The Wye Valley AONB is unique among the 49 Areas of Outstanding Natural Beauty and 14 National Parks in England, Scotland, Northern Ireland and Wales in being the only protected landscape to straddle a national boundary; being 64% in England and 36% in Wales. The area is predominantly rural, and many people make a living from tourism, agriculture or forestry. Ross-on-Wye is the only town within the AONB itself, but Hereford, Monmouth, Coleford and Chepstow lie just outside its boundaries.
- 3.8 The particularly fragile balance between the environment, the ecology, and the economic and social well being in the Wye Valley demands constant management and planning. Overall management of the AONB, including its conservation, recreation and educational work, is carried out by the Wye Valley AONB Unit; with funding from the constituent local authorities, Natural England and the Countryside Council for Wales.
- 3.9 The latest edition of the AONB Management Plan (2009-2014) provides guidance for all the bodies and individuals whose actions affect the AONB and who can play an important part in helping to conserve and, where appropriate, enhance the outstanding landscape of the lower Wye Valley, for the benefit of both current and future generations.
- 3.10 There are a number of strategic objectives and targets which underpin the five guiding themes of the management plan, and these have already influenced the emerging set of preferred directions for Local Distinctiveness policies, as set out in the Core Strategy Place Shaping Paper (January 2010).

Malvern Hills AONB

- 3.11 A small section of Herefordshire lies within the Malvern Hills which was designated as an AONB in 1959. The AONB is a landscape of great physical, ecological and historical diversity. From the open grasslands of the northern Malvern Hills with their magnificent views, to the mosaics of pasture, woodland and scattered settlements, this diversity of form, habitats and built heritage has a very special quality.
- 3.12 Geology is at the heart of the area's natural beauty. For such a small area (105 square kilometres), the AONB has a remarkable geodiversity resource including classical geological formations and sites. The varied geology gives rise to diversity of soil types which, in turn, underlie a range of wildlife habitats.

- 3.13 Farming and forestry, the most important uses of the land over thousands of years, have shaped and influenced the unique character of the Malvern Hills. They have also traditionally been the economic bedrock of the rural communities, supporting livelihoods and providing local foods and products.
- 3.14 The Malvern Hills AONB is managed by a variety of individuals and bodies, ranging from the Malvern Hills Conservators, to large private estates and small community trusts. The latest edition of the AONB Management Plan came into effect in April 2009 and its purpose is to conserve and enhance the area's special qualities for the current and future benefit of those who live, work and travel there. It has already influenced the emerging set of preferred directions for Local Distinctiveness policies, as set out in the Core Strategy Place Shaping Paper (January 2010), and these are consistent with the plan's guiding principles and strategic objectives.

Malvern Hills District Council

- 3.15 A joint Core Strategy is being developed for South Worcestershire; involving collaborative work between Malvern Hills District, Worcester City and Wychavon District Councils.
- 3.16 In June 2008, the three councils agreed to send the Core Strategy Preferred Options document out for consultation. The preferred strategy for Malvern seeks to focus significant residential and commercial development at two eastern expansion areas. These combined locations would provide a total of 1,600 dwellings and 17 hectares (ha) of employment, plus additional employment land at the QinetiQ site over and above the 4.5ha intensification identified through the Local Plan and included in the employment land commitment figures. Given the town's proximity Ledbury, this proposal could result in greater interdependence between housing markets, employment and service sectors.
- 3.17 Be that as it may, the pre-submission Core Strategy will be made available for consultation in October 2010. This will look at building stronger communities in terms of the location and balance of houses, jobs, services and transport; meeting the needs of all generations, through the delivery of a mix of housing in sustainable locations; protecting environmental assets such as biodiversity and the countryside; improving health and wellbeing; reducing crime and the fear of crime; and strengthening the rural economy.
- 3.18 On a slightly separate note, work has formally commenced on the joint Site Allocations Development Plan Document (DPD) and the three councils are holding a series of information gathering workshops in order to progress this area of work.
- 3.19 The preparation of the Site Allocations DPD is at a very early stage which makes it difficult to identify where strategic sites will be allocated, let alone how they will affect Herefordshire.

Forest of Dean District Council

- 3.20 The Forest of Dean lies between the rivers Wye and Severn, in the western part of Gloucestershire, and on the borders of Wales and Herefordshire.

- 3.21 Work on the Forest of Dean Core Strategy dates back to November 2005 when the council gathered public opinion on the key issues facing the district including the amount of development that should take place in the towns and villages. The information gathered from this consultation was used to help formulate a set of Preferred Options for the future strategy of the forest up to 2026. However, following a review of its Local Development Scheme (LDS) the council decided to incorporate more material into a revised document, which was then published as a set of Second Preferred Options.
- 3.22 The Core Strategy Second Preferred Options and associated Sustainability Appraisal documents were available for consultation between March and April 2008. The chosen option for growth as outlined in the Core Strategy Second Preferred Options is to continue with the Local Plan approach, which is in part a continuation of the Local Plan Strategy. This acknowledges the need for the continuity of land supply and takes account of the fact that the greatest opportunities for new development lie in Lydney, followed by Cinderford, Coleford and Newent respectively.
- 3.23 Whilst the current LDS timetable anticipates that the Core Strategy will be published as early as January 2010, the emerging plan does not propose significant development in close proximity to Herefordshire's border and therefore would not appear to generate significant cross boundary planning issues.

Shropshire Council

- 3.24 The north of Herefordshire is bordered by Shropshire which became a Unitary Authority on 1 April 2009 following structural changes to local government in England. As a consequence, there is now a single planning policy service for Shropshire. This service is responsible for the preparation of the Shropshire LDF, and will contribute towards the development of wider policy areas such as housing, the economy, transport and the environment.
- 3.25 In preparation of the Shropshire Core Strategy a series of eight Topic Papers covering emerging issues on a number of themes including housing, transport, environmental resource management, the economy and climate change were informally consulted on between July and September 2008.
- 3.26 Following this, the council prepared an Issues and Options document setting out the key issues facing the county and a number of alternative means and options for meeting these challenges. The document was made available for consultation between January and March 2009, and the council has since been consulting on its Policy Directions Paper which identifies and seeks comments on the policy directions proposed.
- 3.27 Among other things, the preferred strategy makes clear that the market towns will continue to play a significant role in providing rural services and employment, and in providing sustainable locations for growth. This is a particularly useful proposal, as it is likely to encourage the continued sustainability of Ludlow which is the main service centre for some parts of Herefordshire.
- 3.28 The Policy Directions Paper does not generate significant cross boundary planning issues, but joint working between our authorities will continue in any

case through the Shropshire and Herefordshire Housing Officers Group (SHHOG) and the West Housing Market Area Partnership (WHMAP).

- 3.29 The latter is one of the four Sub-Regional Housing Market Area Partnerships set up by the WMRA. In July 2007, external consultants were commissioned by the WHMAP to undertake a comprehensive Strategic Housing Market Assessment. This provides a detailed sub-regional market analysis of housing demand and housing need and identifies the key drivers in the West Housing Market Area. The final draft of the report, published in June 2008, has informed the emerging set of preferred directions for affordable housing policies.
- 3.30 In February 2007, the Centre for Urban and Regional Studies in Birmingham was commissioned by SHHOG and associated stakeholders (Telford and Wrekin Council and Powys County Council) to carry out a sub-regional Gypsy and Traveller Accommodation Assessment. The final report was made in February 2008 when feedback was given at two stakeholder events held at Craven Arms. Two interconnected work streams, now to be carried out, are for housing and planning, with housing essentially leading on a holistic approach to Gypsies and Travellers and planning making sufficient land available to meet accommodation needs through the LDF process.
- 3.31 To date, joint working has been crucial in developing an emerging set of preferred directions for Gypsy and Traveller policies. Talks are ongoing with regard to undertaking a joint 'Call for Sites' and it is possible that a transit site will be provided on the A49.

Monmouthshire County Council

- 3.32 Monmouthshire County is situated in the south east corner of Wales and along with Herefordshire makes up part of the Welsh borders. The County has a population of around 85,000, nearly half of whom live in just four towns - Abergavenny, Monmouth, Chepstow and Caldicot.
- 3.33 Under the Welsh planning system, Monmouthshire County Council is currently working on its LDP, which will set out the local planning authority's proposals and policies for future development and land use in its area.
- 3.34 At the meeting of council on the 20 November 2008, the LDP Options Report was endorsed for public consultation. The report set out, for comment, options on the levels of growth that Monmouthshire should accommodate, and the spatial distribution of new housing.
- 3.35 The subsequent LDP Preferred Strategy was published for consultation in June 2009 and there was significant interest from stakeholders and the public with responses received from 510 people and organisations. Herefordshire Council made observations on the preferred strategy, regarding proposals to concentrate development in Monmouth which is the main service centre for some parts of Herefordshire. However, proposals to expand Monmouth should not be too much of a problem, provided this does not restrict options for growth at Ross-on-Wye.
- 3.36 The County Council intends to publish the Deposit LDP in the summer of 2010 and this will be subject to a statutory six week period of consultation

during which time anyone who wishes to make representations to the council on the contents of the plan may do so.

Powys County Council

- 3.37 The County of Powys covers the former administrative counties of Montgomeryshire, Radnorshire, Brecknockshire and a small part of Denbighshire — an area of 5,196 km², making it the largest principal area in Wales by land area.
- 3.38 Powys County Council is aiming to address a direction made by the Welsh Assembly Government and adopt the Powys UDP before the summer of 2010. However, although the County Council will formally commence preparation of the Powys LDP shortly thereafter, the absence of an evolving policy context makes it difficult to identify cross boundary planning issues.
- 3.39 The County Council will re-consult on the LDP Delivery Agreement before its formal submission to the Welsh Assembly Government for approval. The Powys UDP has been approved for use in determining planning applications, apart from those sections on minerals safeguarding the subject of Direction, alongside the extant Powys County Structure Plan (Replacement 1996), the Brecknockshire (1997), Radnorshire (1999) and Countywide Minerals and Waste Local Plans (1995).

Brecon Beacons National Park Authority

- 3.40 The Brecon Beacons National Park was designated in 1957, the last of the three Welsh parks; Snowdonia was the first in 1951 with Pembrokeshire Coast being the other. It covers a vast area stretching from Llandeilo in the west to Hay-on-Wye in the east.
- 3.41 The Brecon Beacons National Park Authority (BBNPA) has commenced work on its LDP which will act as the development plan for the park over a rolling fifteen year period with regular monitoring reviews. In general, the LDP will comprise site specific proposals that are linked to the vision of the constituent authorities' sustainable community strategies and 'Managing Change Together', the latest edition of the Brecon Beacons National Park Management Plan (2010-2015).
- 3.42 Following a period of public and stakeholder consultation the BBNPA has published the Preferred Strategy as part of the LDP process. This was available for consultation between January and March 2009 and builds on the following Draft Issues papers that were published for the region:
1. Sustainability and Climate Change;
 2. Issues Vision and Objectives;
 3. Strategic Development Options;
 4. Population and Housing; and
 5. Economic Development, Transport and Town Centres.
- 3.43 It is likely that the Deposit LDP will generate significant cross boundary planning issues for Herefordshire given that part of the county falls within the park area. As a key settlement in the preferred strategy, the Deposit LDP

should recognise Hay-on-Wye's role as a main settlement for services and access to public transport for the eastern part of the National Park.

4.0 Working with Herefordshire's Immediate Neighbours

- 4.1 To date, the cross boundary issues affecting town planning between Herefordshire and neighbouring authorities have not been dealt with in a co-ordinated manner. This is partly because there are no formal mechanisms for identifying or resolving cross boundary planning issues within the organisations at present. The absence of such mechanisms makes it difficult to fully identify and quantify issues.
- 4.2 Some initiatives have already been taken to increase the level of co-operation between councils' on land use matters. For example, in March 2007 a 'Memorandum of Understanding on Cross Border Collaboration' was produced for the West Midlands region. Whilst the memorandum is a voluntary rather than a binding agreement or contract, it seeks to gain commitment from its signatories to achieve effective cross border collaboration between central parts of Wales and the West Midlands on policy development.
- 4.3 There is scope for further collaborative working and it is important for Herefordshire to actively engage with all of its neighbours allowing for key issues to be addressed collaboratively. The council has already consulted on the first edition of this report and responses can be seen in Appendix 1. Comments received have been incorporated in this version of the report where appropriate.

Key issues for collaboration

- 4.4 Although the following list of key issues for collaboration is by no means exhaustive, many of these have been apparent on Herefordshire's borders for quite some time, in particular the need for joint management of development pressure and the interdependence of cross border housing markets, employment and service sectors.
- 4.5 The key issues for collaboration with neighbouring local planning authorities include:
- Malvern Hills District Council
 - Waste arrangements, including work on the Joint Municipal Waste Management Strategy with Worcestershire County Council;
 - Integrated management of the Malvern Hills AONB;
 - Housing demand across the travel to work area;
 - Address transport corridor constraints: intercity rail, including links to Birmingham and London.
 - Rural Regeneration Zone (RRZ): need for co-ordination of activities; and policy development
 - Renewable energy, particularly wind energy given the higher land straddling the county/district boundary;
 - Green Infrastructure.

- Forest of Dean District Council
 - Employment, tourism, service and retail links;
 - Housing demand across the travel to work area;
 - Green Infrastructure;
 - Wye Valley AONB.

- Shropshire Council
 - Address transport corridor constraints: A49, including links to Central Wales and the north west of England;
 - Housing demand across the travel to work area;
 - Affordable housing, including joint working as part of WHMAP
 - Accommodation arrangements for Gypsies and Travellers, including joint working as part of SHHOG.

- Monmouthshire County Council
 - Transport links;
 - Housing demand across the travel to work area;
 - Green Infrastructure;
 - Wye Valley AONB.

- Powys County Council
 - Employment, tourism, service and retail links;
 - Cross border service provision, including health/leisure;
 - Housing market areas;
 - Transport links, potable water and sewerage demands;
 - Green Infrastructure, and specifically the River Wye;
 - Strategic flood management;
 - Accommodation arrangements for Gypsies and Travellers.

- Brecon Beacons National Park Authority
 - Tourism links;
 - Hay-on-Wye.

5.0 Conclusion

- 5.1 In conclusion, the planning system has been substantially reformed to allow for collaborative working between neighbouring authorities in respect of cross boundary planning issues.
- 5.2 PPS12 makes clear that spatial planning objectives for local areas, as set out in the LDF Core Strategy, should be coherent with the development plans prepared by neighbouring authorities, where cross boundary issues are relevant.
- 5.3 In compiling this cross boundary issues report, several matters of cross border concern have been identified, some of which are entrenched and self-reinforcing. The council will however, remain actively and constructively engaged with neighbouring authorities in order to ensure that they are adequately addressed through the next stages of the development plan process.

Appendix 1: Record of consultation upon the original cross boundary issues report with neighbouring local planning authorities

Organisation	Date Consulted	Date Comments Received
Malvern Hills District Council	18/09/2008	22/10/2008
Shropshire Council	18/09/2008	30/10/2008
Forest of Dean District Council	18/09/2008	22/10/2008
Monmouthshire County Council	18/09/2008	No response
Powys County Council	18/09/2008	31/10/2008
Brecon Beacons National Park Authority	-	-
Worcestershire County Council	18/09/2008	30/09/2008
Gloucestershire County Council	18/09/2008	No response