



Local Development Scheme 2018-2021

October 2018 Update

Produced jointly by the
South Worcestershire Councils

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1. What is a Local Development Scheme?

- 1.1 The Local Development Scheme (LDS) is a project management document which sets out the Council's priorities for preparing planning policy documents over the coming three years. It is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended) that each Local Planning Authority should produce an LDS, which must include any Development Plan Documents (they are subject to a statutory plan making process and set out policies, as opposed to Supplementary Planning Documents which are there to provide guidance on the implementation of planning policies) it intends to prepare, and a timetable indicating the main milestones of production. The 2004 Act sets out a number of other requirements to be included in an LDS.
- 1.2 Since October 2010, Malvern Hills District Council has been working with Wychavon District Council and Worcester City Council to produce the joint South Worcestershire Development Plan (SWDP) which was adopted in February 2016. Joint working on this strategic document has brought together many other work streams and has also created the need for further joint work in the future. The three South Worcestershire Councils (SWCs) have agreed to continue to combine resources on many planning policy matters and have worked collaboratively to prepare the shared elements of this LDS.
- 1.3 Given the Government's increased emphasis, as set out in the revised National Planning Policy Framework (2018), on development plans needing to be reviewed within 5 years of adoption the SWCs have commenced a review of the SWDP. The intention of this revised LDS is:
- to set out the timetable for the SWDP review;
 - to report the progress made since the publication of the current LDS; and
 - to inform interested parties of the updated timetable for the Travellers and Travelling Showpeople Site Allocations Development Plan Document.
- 1.4 This document can be viewed on-line on the Planning Policy pages of the Malvern Hills District Council website. Printed copies are available to view at:

The Council House,
Avenue Road,
Malvern,
Worcestershire
WR14 3AF

And at the libraries in Malvern, Tenbury Wells and Upton-upon-Severn.

If you have any questions about the LDS or how to access it, please contact us by:

Email: policy.plans@wychavon.gov.uk

Tel: 01386 565000, and ask for the Planning Policy team

2. Progress to date

Progress since publication of the 2017-2020 Local Development Scheme

South Worcestershire Development Plan

- 2.1 A review of the SWDP(SWDPR) commenced in December 2017 to ensure that the SWCs meet the requirements of the 2017 planning regulations.

Minerals and Waste Planning

- 2.2 These functions are carried out by Worcestershire County Council (WCC). The Worcestershire Waste Core Strategy Development Plan Document was adopted November 2012.
- 2.3 Worcestershire County Council is currently preparing a new Minerals Local Plan for Worcestershire. The document will guide how much and what minerals the County needs to be able to supply, where minerals should be extracted and how sites should be "restored" when minerals working has finished. Once adopted, the Minerals Local Plan will be used to make decisions about planning applications for mineral extraction, processing and restoration in the County.
- 2.4 In January 2018 the County Council undertook a further "call for minerals sites". The fourth stage consultation is due to be published in late 2018.
- 2.5 A separate Minerals and Waste Local Development Scheme has been produced by Worcestershire County Council and is available on its website (www.worcestershire.gov.uk/lds). It is anticipated that the Minerals Local Plan will be submitted for examination in late 2019 with eventual adoption anticipated in late 2020/early 2021.

Neighbourhood Plans

- 2.6 At the time of reviewing the Local Development Scheme the following status applied across the South Worcestershire area:

Council	Neighbourhood Areas Designated	Neighbourhood Plans which have been through Pre-submission consultation	Submitted Neighbourhood Plans	Adopted Neighbourhood Plans
Malvern Hills	16	6	4	3
Worcester City	1	0	0	0
Wychavon	18	6	4	4

Supplementary Planning Documents (SPDs)

- 2.7 The Revised Developer Contributions SPD, the Renewable and Low Carbon Energy SPD and the Water Management and Flooding SPD were adopted in July 2018. All of these SPDs provide further guidance on particular SWDP policies.

Current Development Plan for Malvern Hills

2.8 The Council's existing Development Plan currently comprises of:

- South Worcestershire Development Plan (SWDP)
- Worcestershire Waste Core Strategy Development Plan Document (adopted 2012)
- Saved Policies from the Hereford and Worcester Minerals Local Plan (adopted 1997)
- Neighbourhood Plans (3)- Martley, Knightwick and Doddenham, Kempsey, and Clifton-Upon-Teme.

These are the documents which provide the planning policies that planning applications should be determined against (unless material considerations indicate otherwise) at the time of reviewing this LDS.

Current local planning policy framework

2.9 The wider planning policy framework for Malvern Hills consists of the following Supplementary Planning Documents:

- Affordable Housing – October 2016
- Planning for Health – September 2017
- Revised Developer Contributions – July 2018
- Water Management and Flooding – July 2018
- Renewable and Low Carbon Energy – July 2018

3. Development Plan Documents

- 3.1 The Development Plan Documents under preparation are:
- South Worcestershire Development Plan Review (Joint with Malvern Hills District and Worcester City councils)
 - Travellers and Travelling Showpeople Site Allocations DPD (Joint with Malvern Hills and Worcester City councils)
- 3.2 The following section sets out the content of, and timetable for, producing the above documents. All references to Regulations in this section refer to [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#).

3a South Worcestershire Development Plan Review

Overview	
Role and content	The plan will update the existing SWDP, reviewing the development requirements, policies and site allocations and extending the Plan period from 2030 to 2041.
Status	Development Plan Document
Geographical coverage	The plan covers the administrative areas of Malvern Hills, Wychavon and Worcester City.
Jointly produced	YES. The SWDP was jointly produced by Malvern Hills District Council, Wychavon District Council and Worcester City Council, collectively known as the South Worcestershire Councils.
Chain of conformity	National Planning Policy Framework, the National Planning Practice Guidance, Planning policy for Traveller sites, case law and planning legislation

Milestones	
Evidence Gathering	Commencing in late 2017
Issues and Options	November/December 2018
Preferred Options (Regulation 18)	November/December 2019
Publication (Regulation 19)	October/November 2020
Submission (Regulation 22)	February 2021
Independent Examination (Regulation 24)	February to October 2021
Receipt of Inspector's Report (Regulation 25)	October 2021
Adoption (Regulation 26)	November 2021

3b. Travellers and Travelling Showpeople Site Allocations DPD

Overview	
Role and content	The Travellers and Travelling Showpeople Site Allocations DPD will set out the supply of sites and pitches to be provided to meet the needs of Gypsies, Travellers and Travelling Showpeople as will be set out in the SWDPR. It will allocate sites or extensions to existing sites to meet this requirement
Status	Development Plan Document
Geographical coverage	The plan covers the administrative areas of Malvern Hills, Wychavon and Worcester City.
Jointly produced	YES. The Travellers and Travelling Showpeople Site Allocations DPD is being jointly produced by Malvern Hills District Council, Wychavon District Council and Worcester City Council, collectively known as the south Worcestershire councils.
Chain of conformity	Planning policy for traveller sites, case law and planning legislation

Timetable (Completed Stages are shown in BLUE)	
Commencement	September 2014
Preferred Options (Regulation 18)	May/June 2016 February/March 2018 February/March 2020
Publication (Regulation 19)	February/March 2021
Submission (Regulation 22)	October 2021
Independent Examination (Regulation 24)	November 2021 to June 2022
Receipt of Inspector's Report (Regulation 25)	June 2022
Adoption (Regulation 26)	July 2022

4 Other important policy documents

- 4.1 These documents are not part of the Development Plan, but it is important to set out the likely content and timetable so that interested parties are made aware at the earliest opportunity of forthcoming consultations. These documents are:
- Community Infrastructure Levy Charging Schedule
 - Statement of Community Involvement
- 4.2 The Community Infrastructure Levy (CIL) was adopted in 26 April 2017 and CIL charging commenced on 5 June 2017. There are no current plans to review CIL charging, however, Government changes to CIL and any transitional arrangements will need to be taken into consideration.
- 4.3 The Statement of Community Involvement was adopted in February 2018 following The Neighbourhood Planning Act 2017. It introduced new requirements for Statements of Community Involvement and as such it is now appropriate to undertake a review of the document. There are no longer any regulations governing the production stages of the Statement of Community Involvement, but the requirement to prepare one is set out in Section 18 of the [Planning and Compulsory Purchase Act 2004](#) (as amended).

4a. Community Infrastructure Levy Charging Schedule

Overview	
Role and content	The Community Infrastructure Levy (CIL) Charging Schedule sets out a tariff to be applied to qualifying development in Malvern Hills. This will allow funding to be secured for infrastructure that is needed as a result of development in the area. The tariff is applied per m ² of net additional floorspace. The rate of the tariff has been determined by examining the ability of development to bear the charge without unduly affecting a development's viability.
Status	Non Development Plan Document
Geographical coverage	The Community Infrastructure Levy covers the Malvern Hills District Council administrative area.
Jointly produced	YES. The Charging Schedule and supporting evidence were prepared on a joint basis and each of the SWCs has individually adopted CIL. For Malvern Hills District, CIL charging commenced in June 2017.
Chain of conformity	South Worcestershire Development Plan, Community Infrastructure Levy Regulations, the National Planning Policy Framework, the National Planning Practice Guidance, Part 11 of the 2008 Planning Act and Part 6 of the Localism Act 2011.

Timetable (Completed Stages are shown in BLUE)	
Commencement	May 2012
Consultation on Preliminary Draft Charging Schedule (PDCS) (Regulation 15)	PDCS – prior to housing numbers uplift: September – October 2013 PDCS - Revised to take account of housing numbers uplift: January – February 2015
Publication of Draft Charging Schedule (Regulation 16)	April 2016
Submission (Regulation 19)	July 2016
Independent Examination	August 2016 <i>Hearing sessions – November 2016</i>
Receipt of Examiner's Report (Regulation 23)	January 2017
Adoption (Regulation 25)	tbc April 2017
Levy takes effect (Regulation 28)	4 th June 2017

4b. Statement of Community Involvement

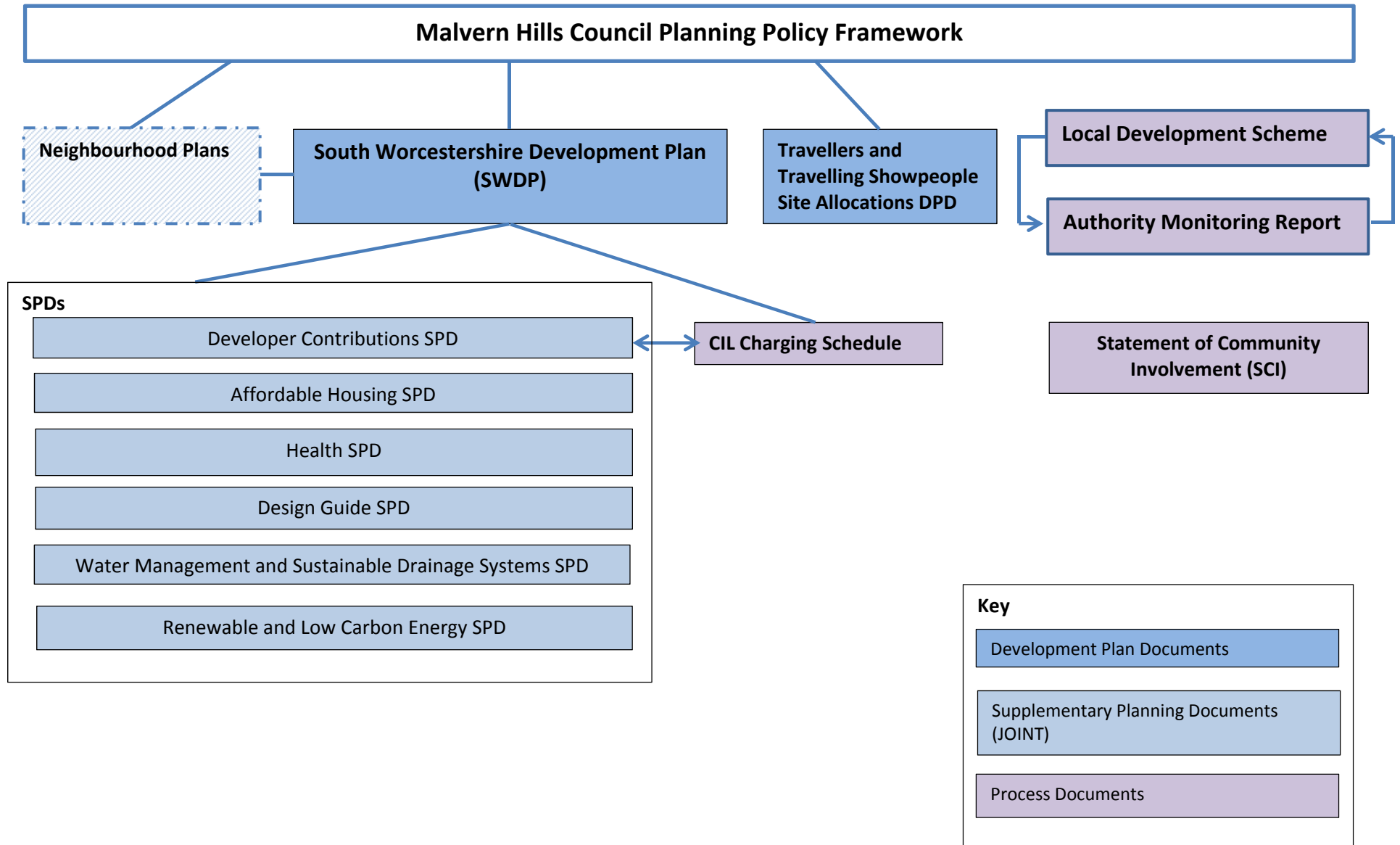
Overview	
Role and content	Malvern Hills's latest Statement of Community Involvement (SCI) was adopted in February 2018. It sets out how the Council will consult on planning matters including the preparation of planning policy and the determination of planning applications. The Neighbourhood Planning Act included provisions relating to SCIs and as such it is now appropriate to review the document to meet the new requirements.
Status	Non Development Plan Document – Local Development Document
Geographical coverage	The SCI covers the Malvern Hills District Council administrative area. It is consistent with those of Wychavon and Worcester City.
Jointly produced	The SCI is not a joint document however it was produced in collaboration with Wychavon District Council and Worcester City Council.
Chain of conformity	Planning and Compulsory Purchase Act 2004 (as amended), Neighbourhood Planning Act 2017 National Planning Policy Framework and case law.

Timetable for Review	
Commencement	August 2017
Consultation	November/December 2017
Adoption	February 2018

5. Supplementary Planning Documents

- 5.1 A number of Supplementary Planning Documents have been prepared to provide further guidance on the policies within SWDP. These documents are not part of the Development Plan, but it is important to set out the likely content and timetable so that interested parties are made aware at the earliest opportunity of forthcoming consultations.
- 5.2 It is no longer a requirement to detail SPDs and their timetables for preparation within an LDS, and it is unlikely that Malvern Hills District Council will prepare any more until the SWDPR has been concluded.

Malvern Hills Planning Policy Framework Diagram



6. Resources

- 6.1 The work to deliver the planning policy documents within the LDS will be dependent on continued joint working between the three South Worcestershire Councils as this has been proved to be a more efficient and effective way of working. The work will be undertaken using existing resources and within existing governance structures in each of the three districts.

7. Risk Assessment

7.1 The Council recognises that there are risks in delivering the documents set out in the Local Development Scheme. Some of these risks are within the Council's control and some are not. Table 1 identifies the main areas of risk, their impacts and the ways to overcome them so that the programme in the Local Development Scheme can be delivered.

Area of risk	Likelihood/Impact and Consequence	Mitigation
Adequate staff resources	<ul style="list-style-type: none"> • Unable to complete documents on time and to the required standard • Consequential programme slippage • At the extreme – DPDs and SPDs may be withdrawn e.g. if found unsound or subject to successful legal challenge • Consequential increased risk of inappropriate, speculative planning applications if there is no up-to-date Local Plan 	<ul style="list-style-type: none"> • Joint working with SW Councils and County Council • Ring fence policy teams dedicated to plan production • Employ temporary staff/consultants (subject to resource availability)
Funding pressure on resources	<ul style="list-style-type: none"> • Loss of resources to fund plan making, resulting in programme slippage • Consequential increased risk of inappropriate speculative planning applications if there is no up to date Local Plan 	<ul style="list-style-type: none"> • Protocols agreed by the SW Councils for budgets and shared costs • Provision of schemes to influence budgetary decisions • Monitoring of costs and budget spend/profiles
Council procedures and Corporate commitments	<ul style="list-style-type: none"> • Risk of programme slippage • Consequential increased risk of inappropriate, speculative planning applications if there is no up to date Local Plan • Risk to the Council's reputation 	<ul style="list-style-type: none"> • Leader's meetings to coordinate strategy • Robust programme management • Joint Advisory Panel to advise Councils on plan production • Joint Officer Steering Group to oversee plan production process • Joint Officer Team to manage plan production process • Awareness of consultations and Council diaries
Neighbourhood planning	<ul style="list-style-type: none"> • Insufficient staff resource available to meet legal requirements in the provision of technical advice and support to 	<ul style="list-style-type: none"> • Maintain contact with Town and Parish Councils to ascertain scale and type of work required from the LPAs • Assess the extent to which neighbourhood plans deliver

Area of risk	Likelihood/Impact and Consequence	Mitigation
	Town and Parish Councils <ul style="list-style-type: none"> • Insufficient funding to resource LPA support • Diversion of staff resources from preparation of DPDs and SPDs 	the LDS <ul style="list-style-type: none"> • Assessment of neighbourhood plans to influence budgetary decisions • Seek Government funding for resources
Changes to external context	<ul style="list-style-type: none"> • Unable to meet requirements of national policy and guidance • Insufficient flexibility and resilience to meet economic / environmental / social changes 	<ul style="list-style-type: none"> • Monitor policy announcements and consultations • Assess Local Plan/SPD consistency with policy • Use of latest guidance • Monitor future trends, use of Foresight intelligence
Time required for consideration, consultation and decision making	<ul style="list-style-type: none"> • Insufficient time to meet standard lead in times to decision making • Significant level of responses to consultation • Additional scrutiny stage(s) • Programme slippage 	<ul style="list-style-type: none"> • Coordination of Council meeting dates • Project management • Awareness of Council diaries and constitutions and protocols for decision making • Awareness of events such as elections and holidays • Use of delegated decisions route • Efficient/effective handling of responses
Capacity of the Planning Inspectorate and outcomes of their recommendations	<ul style="list-style-type: none"> • PINS unable to meet demand for DPD examination leading to delay in adopting plan 	<ul style="list-style-type: none"> • Provide LDS to PINS as early as possible – to identify DPD production • Regular liaison with PINS • Monitor Inspector's reports and High Court Challenges and draw up/use lessons learnt

Table 1: Risk Assessment

8. Monitoring and Review

Monitoring

- 8.1 There is a requirement to monitor the implementation of the Local Development Scheme¹ and hence progress made in producing Local Plans and Supplementary Planning Documents through an Authority Monitoring Report (AMR). An AMR must be produced at least each year, and must cover a period of no more than 12 months. The AMRs must cover a continuous period, with no gap in coverage between reports.
- 8.2 In relation to each document included within the Local Development Scheme, monitoring must be carried out on:
- the timetable included for that specific document;
 - the stage that the document has reached in the production process; and
 - if the document is behind the timetable set out in the LDS, the reasons for this.
- 8.3 An AMR will be produced jointly across South Worcestershire each year and will be made available on the councils' websites as soon as it has been finalised. The AMR will be reported by the Local Planning Authority to the Joint Advisory Panel (or equivalent). As well as progress in plan-making, this will be the opportunity to report on the monitoring indicators in adopted Local Plans to assess policy performance.

Review of the LDS

- 8.4 In response to the yearly monitoring against the Local Development Scheme, the South Worcestershire Councils will work together to revise their LDSs each year to provide real time information of the work programme over a rolling three year period. Anticipated delays or actual slippage against the published timetable will be addressed, with realistic revisions to key milestones proposed.
- 8.5 The Local Planning Authority anticipates that the next full review of the LDS will be in late 2019. This is subject to the LPA's consideration of any significant changes for example in legislation, national policy or circumstances that impact on plan-making or the delivery of strategy and policy.

¹ Planning and Compulsory Purchase Act 2004. Part 2 – Local Development. S. 35 (as amended)
Town and Country Planning (Local Planning) (England) Regulations 2012 – Regulation 34 Authorities' monitoring reports

Appendix A

South Worcestershire Local Development Scheme: Project Plan: 2018-2021 (Revised November 2018)

	2018		2019												2020												2021															
	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				
Local Development Scheme	R												R												R																	
Authority Monitoring Report	2	13									1	1	2	13									1	1	2	13										1	1	2	13			
SWDP Review	1	1	2	2	2	2	2	2	2	2	2	3	3	4	4	4	5	5	5	5	5	5	6	6	7	7	8	9	9	9	9	9	9	9	9	9	12	13				
Traveller and Travelling Showpeople Site Allocations DPD	1	1	1	1	1	1	1	1	1	2	2	2	2	2	3	3	4	4	4	4	5	5	5	5	5	5	6	6	7	7	7	7	7	7	7	7	8	8	8			

Key - DPDs and SPDs

1	Preparatory work including compiling evidence base –including early engagement (issues and options) consultation for DPDs	6	Publication of Proposed Submission document for representations (Regulation 19 For DPDs)	11	Inspector considers consultation responses (May not be required. Dependent on outcome of Examination).
2	Preparation of draft document	7	Analysis of representations	12	Receipt of Inspector's report (Regulation 25 for DPDs)
3	Public Consultation (Regulation 13 for SPDs), (Regulation 18 for DPDs)	8	Submission to Secretary of State (Regulation 22 for DPDs)	13	Adoption/Completion/Judicial Review Period (Regulation 14 for SPDs), (Regulation 26 for DPDs)
4	Consideration of representations	9	Independent Examination (Regulation 24 for DPDs)		
5	Preparation of final document (for SPDs) Preparation of Proposed Submission document (for DPDs)	10	Consultation on Main Modifications (May not be required. Dependent on outcome of Examination).	R	Review

Regulation references relate to [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)

Key - CIL Charging Schedule Key:

C1	Preparatory work including compiling evidence base	C7	Consideration of representations
C2	Preparation of Preliminary Draft Charging Schedule and draft Regulation 123 List	C8	Submission of DCS (Regulation 19)
C3	Public Consultation on PDCS and draft Reg 123 List (Regulation 15)	C9	CIL Examination
C4	Consideration of representations	C10	Receipt of CIL Examiner's recommendations (Regulation 23)
C5	Preparation of Draft Charging Schedule and final Reg 123 List	C11	Approval and publication (Regulation 25)
C6	Consultation on DCS and Reg 123 List (Regulation 16)	C12	Final preparatory work prior to the Charging Schedule taking effect 04/09/17 (Regulation 28)

Regulation references relate to [The Community Infrastructure Levy Regulations 2010 \(as amended\)](#)