



ESSENTIAL REFERENCE PAPER 'B'

District Plan

Shaping Now, Shaping the Future

Local Development Scheme (LDS)

Version 3 - May 2012

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1. About the Local Development Scheme

What is the Local Development Scheme?

The Local Development Scheme or LDS is a work programme that provides information about the Development Plan Documents (DPDs) that East Herts Council will produce. The LDS sets out the subject and geographical area that each DPD will cover and the timetable for their preparation and revision.

Why do we need a LDS?

DPDs are important planning documents because they affect how land is used. It is therefore appropriate that residents, stakeholders and the community are fully aware of how and when they will be produced. The LDS provides information and certainty: it sets out which DPDs East Herts Council will produce, and more importantly, the anticipated timescale for their preparation. Whilst consultations will continue to be advertised and stakeholders notified accordingly, by knowing in advance when consultations are likely to happen, everyone with an interest in the future of East Herts can make sure they don't miss their opportunity to have their say.

Hasn't the Council already published an LDS?

The current LDS dates from 2006. Since then, there have been significant changes to the planning system including the abolition of regional plans and the introduction of neighbourhood plans. Because DPDs must be prepared in accordance with the published LDS it is crucial that we review the LDS and publish a more accurate timetable to reflect the current and anticipated work programme.

Will the LDS be reviewed again?

It is intended that the LDS will be reviewed at least annually in conjunction with the preparation of the Annual Monitoring Report (AMR) to ensure that it is kept up-to-date. However, it is not expected that significant revisions would be made each year. The Council will also publish up-to-date information on the progress in preparing DPDs on the Council's website at www.eastherts.gov.uk/lds.

2. Quick Guide to the Planning System

What is the Development Plan?

The Development Plan is the name for the collection of local development documents (LDD) or planning policy documents that shape development and manage land use in a particular area. It is a legal requirement to produce and keep up-to-date a Development Plan. It contains the policies and proposals against which planning applications are determined. Importantly, the Development Plan must be consistent with Government planning guidance as set out in the National Planning Policy Framework or NPPF (www.communities.gov.uk). As shown in Figure 1, in non-unitary areas such as East Herts, the responsibility for preparing the Development Plan is split between the three tiers of local government.

What is Hertfordshire County Council's plan-making role?

The County Council covering the whole of Hertfordshire is responsible for producing minerals and waste plans. These are specific topic-based Development Plan Documents (DPD) that relate to minerals extraction and dealing with waste development including the use of land for landfill and incineration. More information about minerals and waste planning can be found at: <http://www.hertsdirect.org/services/envplan/>.

What is East Herts District Council's plan-making role?

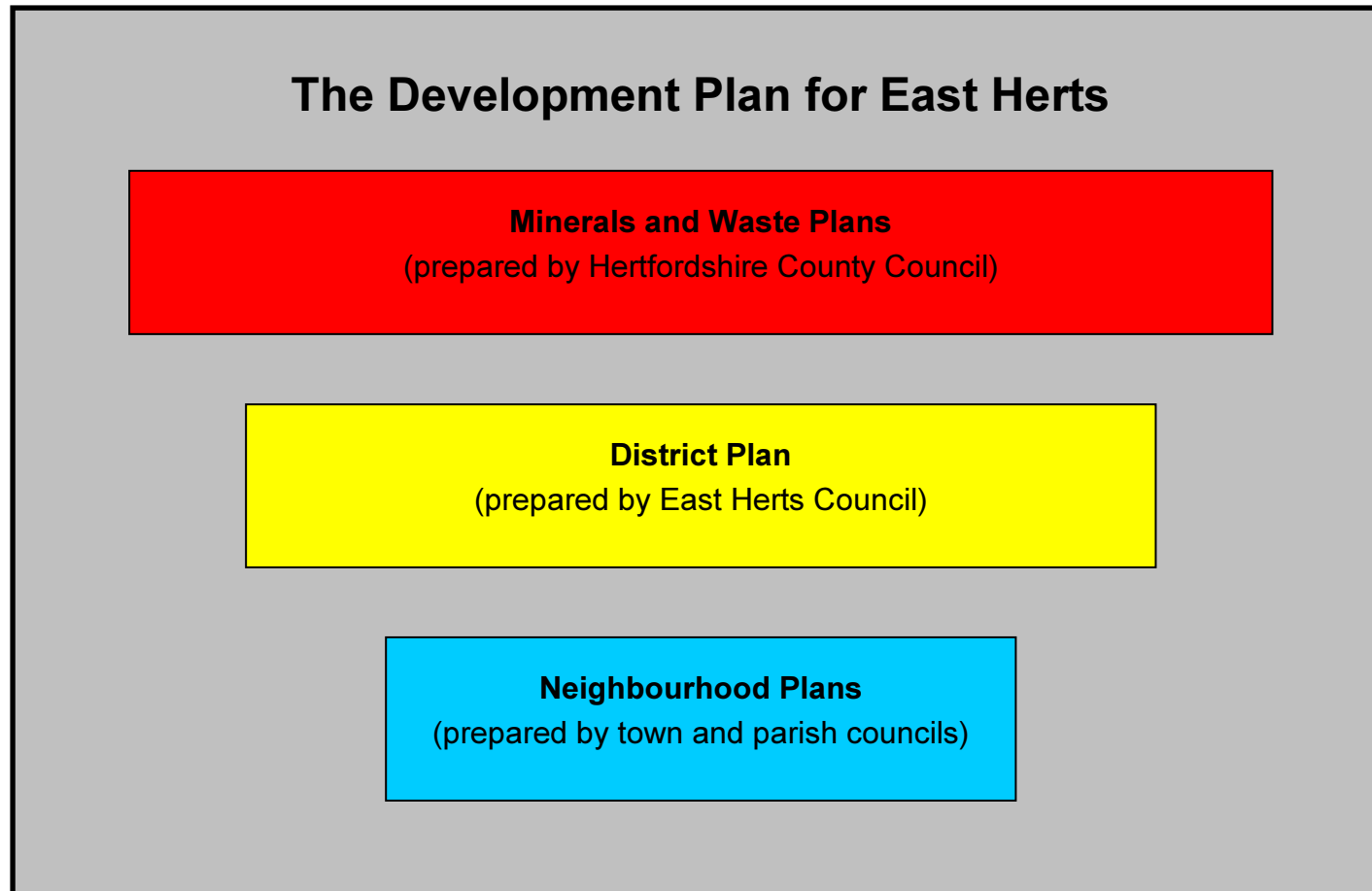
The District Plan DPDs cover all other aspects of development and land-use including housing, employment, retail, leisure, recreation and community. It is these documents that will be used to determine the vast majority of planning applications. They will set out the principles for development, as well as detailed policies in respect of design and amenity, varying in size from householder extensions to large-scale housing development. Importantly, the District Plan sets the strategic context for any Neighbourhood Plans. More information about the East Herts District Plan can be found at: www.eastherts.gov.uk/districtplan.

What is the plan-making role of Town and Parish Councils within East Herts?

Town and parish councils can produce a Neighbourhood Plan for their area, identifying where the community thinks new development should be built. Neighbourhood Plans can then be adopted by East Herts Council and used alongside the District Plan to determine planning applications. However, unlike county and district planning functions, Neighbourhood Plans are not compulsory and where a Neighbourhood Plan is not produced, the District Plan will continue to form the basis of planning decisions. More information about Neighbourhood Plans can be found at: www.eastherts.gov.uk/neighbourhoodplans.

Figure 1: The Development Plan

National Planning Policy Framework (NPPF)



3. East Herts Development Plan Documents

Which DPDs will East Herts Council produce?

East Herts Council will prepare the following local development documents as DPDs which will apply across the whole of East Herts district. It is proposed to refer to the DPDs as the District Plan which is a much more user-friendly and easily understood term.

- *East Herts District Plan: Part 1 - Strategy*: The strategic planning policy document that will establish the vision for East Herts to 2031, strategic policies and the broad locations for growth including any strategic allocations;
- *East Herts District Plan: Part 2 - Allocations and Policies*: The site-specific planning policy document that will allocate and designate land for development and land use as well as setting out detailed policies for determining planning applications covering topics such as design, amenity and changes of use.

How will each DPD be produced?

The production of each DPD is not a one-off event. There are various stages of preparation and consultation. This enables the Council to fine-tune its plans and policies in response to comments from stakeholders and the community. It is anticipated that the following stages of plan preparation will be undertaken:

- *Awareness Raising* – The preliminary stage of preparation including initial background work and community and stakeholder engagement
- *Issues and Options* – Public consultation setting out the issues facing East Herts and presenting a series of options to deal with those issues within the document
- *Preferred Strategy / Allocations & Policies* – Public consultation on the draft version of the document
- *Pre-submission* – Opportunity for stakeholders and the community to say whether they think the plan and its preparation is 'sound' and fit for purpose
- *Submission & Examination* – Document is submitted to the Planning Inspectorate for independent examination to check that all legal requirements have been met and that it is consistent with national planning policy
- *Adoption* – Document is formally agreed by the Council and can then be used to shape the future of East Herts by guiding development proposals and assess planning applications.

When will the Proposals Map be revised?

The Proposals Map illustrates geographically how and where the policies in the DPD apply across the district. The adopted Proposals Map will be revised at the same time as the DPD is adopted.

4. Schedule

The following schedule sets out the timetable for the preparation of the East Herts DPDs:

Year	2008												2009											
Month	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
District Plan: Part 1 - Strategy																								
District Plan: Part 2 - Allocations and Policies																								

Year	2010												2011											
Month	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
District Plan: Part 1 - Strategy																								
District Plan: Part 2 - Allocations and Policies																								

Year	2012												2013											
Month	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
District Plan: Part 1 - Strategy																								
District Plan: Part 2 - Allocations and Policies																								

Year	2014												2015											
Month	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
District Plan: Part 1 - Strategy																								
District Plan: Part 2 - Allocations and Policies																								

Key to Stages

	Awareness Raising		Issues & Options		Preferred Strategy / Allocations & Policies		Public Consultation
	Pre-Submission		Submission & Examination		Adoption		Examination

5. Risk Assessment

In order to progress DPDs in an efficient and timely manner it is important to identify any risks and any mitigation measures that can be applied to ensure that the preparation of the DPDs runs in accordance with the timetable in this LDS.

Risk	Impact	Likelihood	Mitigation and Risk Management
District Plan: Part 1 preparation delayed	4	3	Good implementation of project management procedures. Corporate and team prioritisation of DPD work and de-prioritisation of other planning policy work.
District Plan: Part 1 found unsound at examination	5	2	Ensuring DPD produced in accordance with regulations and tests of soundness including duty to co-operate and NPPF. Early liaison with PINS to ensure that any potential issues are identified and rectified before examination.
Council fail to agree District Plan: Part 1 for consultation / submission / adoption	5	1	Ensuring Member engagement throughout the preparation process so that Members understand and agree to both the preparation process and proposals.
Legal Challenge to District Plan: Part 1 mounted	3	1	Financial cost and delays to DPD adoption and knock-on effect on DPD Part 2. Ensure DPD produced in accordance with regulations, tests of soundness and based on objective analysis of planning issues.
Legal Challenge to District Plan: Part 1 successful	5	0	
District Plan: Part 2 preparation delayed	4	2	Good implementation of project management procedures.
District Plan: Part 2 found unsound at examination	4	2	Ensuring DPD produced in accordance with regulations and tests of soundness including duty to co-operate and NPPF. Early liaison with PINS to ensure that any potential issues are identified and rectified before examination.

Risk Ratings

Rating the potential impact if the risk did arise.	Rating the likelihood of the event happening without controls being in place
5 Catastrophic impact	5 Very probable in the near future
4 Major impact with long term implications	4 Very probable in the medium term
3 Major short term impact	3 Probable (more than 30% likely)
2 Moderate long term impact	2 Moderately likely (between 10% and 30% chance)
1 Moderate short term impact	1 Unlikely (less than 10% chance)
0 Little impact	0 Remote possibility (less than 1% chance)

Risk	Impact	Likelihood	Mitigation and Risk Management
Council fail to agree District Plan: Part 2 for consultation / submission / adoption	4	1	Ensuring Member engagement throughout the preparation process so that Members understand and agree to both the preparation process and proposals. Financial cost and delays to DPD adoption. Ensure DPD produced in accordance with regulations, tests of soundness and based on objective analysis of planning issues.
Legal Challenge to District Plan: Part 2 mounted	3	1	
Legal Challenge to District Plan: Part 2 successful	4	0	
Community and Stakeholder Support	2	1	Ensuring community and stakeholder engagement throughout the preparation process so that it is understood that proposals must be based on objective analysis of planning issues. Need to ensure adequate resources available to maintain sufficient and appropriate engagement.
Change in staff resources	3	1	Delays caused by recruitment time lag. Managed through team building and personal development including PDRs.
Loss of staff resources	4	1	Impact to work programme if staff not replaced. Ensure corporate agreement to prioritisation of DPD production and adequate resources.
Further reduction of budgets	4	3	Ensure value for money. Robust financial medium-term service planning.
Delays to preparation of technical evidence	4	1	Good implementation of project management procedures and understanding of relationship of study to DPD preparation.

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6. Project Profiles

DPD Title:	East Herts District Plan: Part 1 - Strategy
Role and Subject	Sets out the vision, objectives and spatial development strategy for the district to 2031 including the strategic policies and any strategic allocations. Key diagram illustrates the strategy.
Conformity	National Planning Policy Framework (NPPF), County Minerals Plan, County Waste Plan
Local Plan Saved Policies to be Replaced	To be determined.
Geographical Coverage	District-wide
Key Public Consultation	Issues and Options: September - November 2010 Preferred Strategy : September - November 2012 Pre-submission: March - April 2013
Staff Management	Planning Policy Manager and Planning Policy Team
Corporate Management	Executive Member for Planning Policy and Economic Development, Local Development Framework (District Planning) Executive Panel, Executive, Full Council
Internal Resources	Support from Development Control, Community Projects, Economic Development, Housing Services, Internal Customer Services including DTP and printing, Communications.

DPD Title:	East Herts District Plan: Part 2 - Allocations and Policies
Role and Subject	Specific allocations and policies relating to development and the use of land.
Conformity	East Herts District Plan - Part 1, National Planning Policy Framework (NPPF), County Minerals Plan, County Waste Plan
Local Plan Saved Policies to be Replaced	To be determined
Geographical Coverage	District-wide
Key Public Consultation	Issues and Options: February – April 2014 Preferred Allocations & Policies: November 2014 – January 2015 Pre-submission: May - June 2015
Staff Management	Planning Policy Manager and Planning Policy Team
Corporate Management	Executive Member for Planning Policy and Economic Development, Local Development Framework (District Planning) Executive Panel, Executive, Full Council
Internal Resources	Support from Development Control, Community Projects, Economic Development, Housing Services, Internal Customer Services including DTP and printing, Communications.