

Malvern Hills District Council



Local Development Scheme

September 2013

Development Plans & Conservation



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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 producing planning policy documents. It is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended) that each Local Planning Authority should produce an LDS to include the key documents it intends to publish 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 Over recent years, Malvern Hills District Council has been working with Worcester City Council and Wychavon District Council to produce the joint South Worcestershire Development Plan. 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 authorities will therefore continue to combine resources on many planning policy matters and have worked collaboratively to prepare the shared elements of this LDS.
- 1.3 The previous LDS for Malvern Hills District was adopted in 2011, and covered the period to 2013. Since its adoption, the need to produce new documents arose, alongside changes to the timetabling of existing documents. The LDS needed to be updated to reflect these changes to ensure it provides a useful source of information for interested stakeholders and the public.
- 1.4 This Local Development Scheme came into effect on **27 September 2013**, in line with the resolution of Council at its meeting on the 24 September 2013.
- 1.5 The Local Development Scheme can be viewed on the Planning Policy pages of the Council's website, at:
<http://www.malvernhills.gov.uk/cms/planning/planning-policy/the-planning-policy-framework/local-development-scheme>
- 1.6 Copies are also available to view from the Customer Contact Centres at Malvern, Upton-upon-Severn and Tenbury Wells.

2. What planning policy documents are produced at the local level?

- 2.1 The **National Planning Policy Framework (NPPF)** was published by the Government in March 2012 and introduced major changes to planning policies for England and how they should be applied. Previous separate topic based national policy in the form of Planning Policy Statements/Guidance have been deleted¹ (although some accompanying technical and supporting guidance was retained). In addition the Government also published the **Planning Policy for Traveller Sites** guidance in March 2012, which sits alongside the NPPF.
- 2.2 Included within the NPPF and reflecting the changes introduced by the 2011 Localism Act, were further reforms to the process of producing planning policy documents at the local level. Each local planning authority should produce a **Local Plan** for its area. The emphasis in the NPPF is that the Local Plan should ideally be a single document for the authority. However, it is recognised that the Local Plan, may in fact be comprised of multiple **Development Plan Documents**.
- 2.3 The NPPF and associated Acts and Regulations distinguish between different types of planning policy documents. **Development Plan Documents (DPDs)** have statutory status and carry the most weight in decision making. To reflect this, their production process is more rigorous than other documents with several stages of consultation, culminating in an independent Examination held by a Government appointed Planning Inspector. The LDS must specify which plans are to be DPDs.
- 2.4 **Neighbourhood Development Plans** or '**Neighbourhood Plans**' are a new style of planning policy document. They are led and drawn up by the community to guide the future development of their neighbourhood. They can relate to a wide range of planning policy matters, such as housing, employment and transport, or can be focused on one or two issues that are particularly important to an area, but must be in accordance with the strategic policies of the Local Plan. A Neighbourhood Plan is subject to consultation and examination, but through a lighter touch process than for a Development Plan Document. The process culminates in a referendum, when the community votes on whether the plan should be brought into legal force by the District Council. Councils have a clear role in supporting communities which embark on the production of a Neighbourhood Plan. A number of communities in the District are embarking on the process of preparing a Neighbourhood Plan.
- 2.5 Local Planning Authorities produce Development Plan Documents which, when taken together, are termed the 'Local Plan'. Development Plan Documents together with Neighbourhood Plans and minerals and waste development plan documents at the county level, form the **Development Plan** for the local authority, in accordance with which decisions on

¹ With the exception of Planning Policy Statement 10: Planning for Sustainable Waste Management (March 2011)

planning applications must be made unless material considerations indicate otherwise. The NPPF and planning law emphasise that the Development Plan is the starting point for decision making, as part of what is known as a 'plan-led system'. This highlights the importance of having an up-to-date Development Plan in place.

- 2.6 Documents which provide further detail to Development Plan Documents or help their implementation are known as **Supplementary Planning Documents (SPDs)**. They can be topic based or can relate to a specific area of the local authority. They cannot allocate land for development. They are not part of the Development Plan, but can be a material consideration in planning decisions. They are not subject to independent examination. They are not required to be listed in the LDS and can be prepared at any time.
- 2.7 Other types of document which are not Development Plan Documents (and hence also do not form part of the Development Plan) but which relate to the process or implementation of plans include:
- **Statement of Community Involvement**
 - **Authority's Monitoring Report**
 - **Community Infrastructure Levy Charging Schedule**
- 2.8 A **Statement of Community Involvement (SCI)** sets out how a local authority intends to engage with the public and interested parties on the content of planning policy documents and also on planning applications. Every local planning authority must have one in place. It is not subject to an examination and there is no requirement to consult the public on the content of an SCI, however, it is good practice to hold some informal consultation when changes to procedures are proposed.
- 2.9 An **Authority Monitoring Report (AMR)** must be produced by the local planning authority at least annually to monitor the implementation of the Local Development Scheme (*this document*) and how the policies within the Council's policy documents are being used to direct development and guide decision making on planning applications. The Council will prepare its AMRs jointly with Worcester City Council and Wychavon District Council. The Council will supplement this joint AMR with other separately or jointly prepared monitoring reports.
- 2.10 A **Community Infrastructure Levy Charging Schedule** (also known as a CIL Charging Schedule) is the legal document that sets out the charges that a local authority can apply across its area to different types of development to secure financial contributions to be spent on infrastructure. It must be subject to at least two rounds of consultation and examined by an independently appointed examiner (but this does not have to be a Planning Inspector). The introduction of a Community Infrastructure Levy is not mandatory, and whilst the Council is not required to include details of this in the LDS, the Council has decided to include relevant information as part of its project management of plan-making.

2.11 A useful glossary for many of the terms referred to above is included at [Annex 2 of the National Planning Policy Framework](#)

3. Progress to date

- 3.1 The three authorities of Malvern Hills District Council, Worcester City Council, and Wychavon District Council in South Worcestershire, together with Worcestershire County Council, have a long history of working collaboratively on planning policy matters, predominantly due to the complex cross boundary relationships that exist between the districts. The Councils are working together on the production of the **South Worcestershire Development Plan (SWDP)** under the provisions of Section 28 of the Planning and Compulsory Purchase Act.
- 3.2 A South Worcestershire Joint Advisory Panel (SWJAP) was established in October 2006 as the informal decision making body which directs and oversees the work of the planning policy officers in the three authorities. The SWJAP is now made up of five elected members from of the three districts. The County Council also has a role on the panel as an observer, representing its own role as the Highways and Education Authority for Worcestershire.

Progress since the previous 2011 Local Development Scheme

South Worcestershire Development Plan

- 3.3 Substantial progress has been made on the South Worcestershire Development Plan (SWDP) in the three year period since the Local Development Scheme was adopted in February 2011.
- From September-November 2011, a “Preferred Options” consultation on the SWDP was carried out. The document put forward Preferred Options for future development with a discussion of alternatives that had been considered. It brought together strategic and local policies for the first time, giving an indication of what the final Plan would look like.
 - From August to September 2012, consultation was carried out on the Proposed Significant Changes to the 2011 Preferred Options.
 - Publication of the SWDP Proposed Submission Document² sought representations on the soundness and legal tests and took place from January to February 2013. This was followed by Submission of the plan to the Secretary of State on 28 May 2013, for Examination.

Minerals and Waste planning

- 3.4 At County level, the Worcestershire Waste Core Strategy Development Plan Document was progressed to Examination in late 2011, with the hearing sessions taking place in March 2012. The plan was found sound and was adopted by the Worcestershire County Council in November 2012.

² In accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012

- 3.5 Following the adoption of the Waste Core Strategy, the focus for minerals and waste planning in the county switched to the production of the Worcestershire Minerals Local Plan. This will replace the Hereford and Worcester Minerals Local Plan. The first stage of consultation took place between October 2012 and January 2013. Further consultation is planned for Autumn 2013, which will relate to setting a vision and a spatial strategy for minerals development. A separate Minerals and Waste Local Development Scheme is produced by Worcestershire County Council and is available on its [website](#).

Neighbourhood Plans

- 3.6 At the time of writing six Parish / Town Councils have commenced formal work on Neighbourhood Plans. As this type of plan is not produced by the District Council they are not required to be included in the LDS. However, progress with Neighbourhood Plans will be included in the Authority Monitoring Report and posted on the MHDC website alongside advice and guidance for other Parish / Town Councils who may be considering producing plans.

Supplementary Planning Documents

- 3.7 The previous Local Development Scheme set out a number of SPD to be produced.
- 3.8 Due to the delays in preparing the South Worcestershire Development Plan, and staff turnover, progress on producing the SPDs has been affected. In the majority of cases, planned SPDs such as Developer Contributions and Affordable Housing are intended to provide further detail on an updated strategic policy in the SWDP. Until these "parent" policies have been considered by a Planning Inspector at an examination and have been adopted, meaningful work on such SPDs cannot be progressed.

Existing Development Plan for Malvern Hills

- 3.9 Whilst an updated development plan and local planning policy framework is being produced, the Council's existing **Development Plan** currently comprises of:
- Saved Policies from the Malvern Hills District Local Plan (adopted 2006). (These policies are listed in the Annual Monitoring Report or on the Councils' website at www.malvern hills.gov.uk/cms/planning/development-plans/local-plan)
 - Worcestershire Waste Core Strategy Development Plan Document (adopted 2012)
 - Saved Policies from the Hereford and Worcester Minerals Local Plan (adopted 1997)
- 3.10 The Government has abolished the regional tier of planning policy and revoked the last of the saved sub-regional (Structure Plan) policies. Therefore, for the avoidance of doubt, the following documents no longer form part of the Development Plan for Malvern Hills.

- West Midlands Regional Spatial Strategy 2008
- Saved Policies of the Worcestershire Structure Plan 1996-2011

Both were formally revoked on 20 May 2013 by [Direction of the Secretary of State](#)

Existing Supplementary Planning Documents

3.11 The wider planning policy framework for Malvern Hills includes the following Supplementary Planning Documents (SPD) and older style Supplementary Planning Guidance (SPG):

- Affordable Housing in Malvern Hills District SPG – June 2004
- North Site, Malvern (Development Brief) SPG – 2004
- Concept Statement – Malvern Community Hospital Site, Lansdowne Crescent, Malvern – August 2006
- House Extensions SPD – August 2006
- The Reuse of Rural Building SPD – August 2006
- Developer Contributions and Planning Obligations SPD – Dec 2006
- Education Contributions SPD – April 2007
- Open Space SPD – Aug 2008
- Shopfronts SPD – April 2011

4. Development Plan Documents

- 4.1 For Malvern Hills District, the Development Plan Documents to be produced over the next three years are:
- South Worcestershire Development Plan DPD
 - Traveller and Travelling Showpeople Site Allocations DPD
- 4.2 Once adopted, the South Worcestershire Development Plan will be subject to a review in accordance with the timescales set out in the Proposed Submission version of the plan i.e. in 2019.
- 4.3 The following section sets out the content 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](#).

4a South Worcestershire Development Plan

Overview	
Role and content	The plan sets out the Vision, Objectives, Spatial Strategy and policies for the future development of the South Worcestershire area. The plan includes site specific allocations and policy designations that will provide for the development needs of the area up to 2030.
Status	Development Plan Document
Geographical coverage	The plan covers the South Worcestershire authority areas of Worcester, Wychavon and Malvern Hills.
Jointly produced	YES. The SWDP is being jointly prepared by Worcester City Council, Wychavon District Council and Malvern Hills District Council.
Chain of conformity	National Planning Policy Framework, Planning policy for traveller sites, case law and planning legislation

Timetable (Completed Stages are shown in BLUE)	
Commencement	2007 (as the now discontinued South Worcestershire Joint Core Strategy (JCS)) 2009 (as the now discontinued Site Allocations and Policies DPD) 2010 (as the South Worcestershire Development Plan)
Initial consultation (Regulation 18)	November 2007: Issues and Options (JCS) September 2008: Preferred Options (JCS) January - March 2009: Potential Strategic Sites consultation October 2009–April 2010: Informal consultation on the Site Allocations and Policies DPD October 2010: Parish and Town Council Visioning workshops November 2011: Preferred Options (SWDP) August - September 2012: Targeted Significant Changes Consultation (SWDP)
Publication (Regulation 19)	11th January - 22nd February 2013
Submission (Regulation 22)	28th May 2013
Independent Examination (Regulation 24)	October 2013 – February 2014 <i>Precise dates of examination hearing sessions will be determined by the Inspector</i>
Receipt of Inspector's Report (Regulation 25)	June 2014
Adoption (Regulation 26)	July - September 2014

4b. Travellers and Travelling Showpeople Site Allocations DPD

Overview	
Role and content	The Travellers and Travelling Showpeople Site Allocations DPD will set out the updated requirement for the number of sites and pitches to be provided to meet the needs of gypsies, travellers and travelling showpeople in the area over the coming years. It will then allocate sites or extensions to existing sites to meet this requirement.
Status	Development Plan Document
Geographical coverage	The plan covers the South Worcestershire authority areas of Worcester, Wychavon and Malvern Hills.
Jointly produced	YES. The SWDP is being jointly prepared by Worcester City Council, Wychavon District Council and Malvern Hills District Council.
Chain of conformity	Planning policy for traveller sites, case law and planning legislation

Timetable	
Commencement	September 2013
Initial consultation (Regulation 18)	January – October 2014
Publication (Regulation 19)	May - June 2015
Submission (Regulation 22)	August 2015
Independent Examination (Regulation 24)	November 2015 <i>Precise dates of examination hearing sessions will be determined by the Inspector</i>
Receipt of Inspector's Report (Regulation 25)	March 2016
Adoption (Regulation 26)	April - June 2016

5. Other key documents

5.1 At Malvern Hills District Council, a number of other planning policy documents will be produced or refreshed over the next three years. These documents are not part of the Development Plan, but it is important to set out their likely content and timetables 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

5.2 The following section sets out the content and timetable for producing the above documents. The regulations governing the production of the Community Infrastructure Charging Schedule are set out in [The Community Infrastructure Levy Regulations 2010](#) (as amended). 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).

5a. Community Infrastructure Levy Charging Schedule

Overview	
Role and content	The Community Infrastructure Levy (CIL) Charging Schedule will allow a tariff to be applied to 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 will be applied per m ² of additional floorspace. The rate of the tariff will be determined by examining the ability of the development to bear the charge without unduly affecting a development's viability.
Status	Non Development Plan Document
Geographical coverage	The Community Infrastructure Levy will cover the Malvern Hills District Council administrative area. There may be a zero rate charge for some areas in the authority or types of development, but this will be specified in the Charging Schedule.
Jointly produced	YES. A joint evidence base including Viability Study has been prepared across the Worcestershire authorities by HDH Planning and Development, and was published in January 2013. The CIL Charging Schedule for Malvern Hills District will also be produced alongside those for Worcester City and Wychavon District. The intention is that the Charging Schedules will be jointly prepared and examined, but in order to comply with the Regulations, three separate Charging Schedules are required. These will be adopted separately by each of the Councils.
Chain of conformity	An up-to-date Development Plan is required to introduce CIL. This will be provided by the South Worcestershire Development Plan (when adopted). The Charging Schedule will also need to comply with the Community Infrastructure Levy Regulations, the National Planning Policy Framework, Part 11 of the 2008 Planning Act and Part 6 of the Localism Act 2011.

Timetable (Completed Stages are shown in BLUE)	
Commencement	May 2013
Consultation on Preliminary Draft Charging Schedule (Regulation 15)	September – October 2013
Publication of Draft Charging Schedule (Regulation 16)	March - April 2014
Submission (Regulation 19)	June 2014
Independent	July - September 2014

Timetable (Completed Stages are shown in BLUE)	
Examination	
Receipt of Examiner's Report (Regulation 23)	October 2014 <i>Precise dates of examination hearing sessions will be determined by the Examiner</i>
Adoption (Regulation 25)	November 2014
Levy takes effect (Regulation 28)	January 2015

5b. Statement of Community Involvement

Overview	
Role and content	Malvern Hills District Council currently has an adopted Statement of Community Involvement (SCI) which was finalised in 2006. There is a need to review this document to reflect changes both to the way planning policy documents are produced and the planning system in England more generally, including the introduction of Neighbourhood Development Plans. The Statement of Community Involvement will also set out how the Council will consult on planning applications.
Status	Non Development Plan Document – Local Development Document.
Geographical coverage	The SCI will cover Malvern Hills District.
Jointly produced	The plan-making aspects of the SCI and consultation on the SCI itself will be aligned across the South Worcestershire authorities but be adopted separately.
Chain of conformity	Planning and Compulsory Purchase Act 2004 (as amended), National Planning Policy Framework and case law.

Timetable (Completed Stages are shown in BLUE)	
Commencement	August 2013
Consultation	November – December 2013
Adoption	March – April 2014

6. Supplementary Planning Documents (SPDs)

- 6.1 At Malvern Hills District Council, a number of other Supplementary Planning Documents (SPDs) will be produced or refreshed over the next three years. SPDs can be topic based or can relate to a specific area of the local authority. SPDs cannot allocate land for development. SPDs are not part of the development plan, but can be a material consideration in planning decisions. SPDs are not required to be listed in the LDS and can be prepared at any time, but have been included together with their timetables for production so that interested parties are made aware at the earliest opportunity of forthcoming consultations.
- 6.2 Supplementary Planning Documents provide further detail to policies in a Development Plan Document, to assist in their implementation. All but one of the SPDs listed below are to be jointly prepared with Worcester City and Wychavon District Councils. The Supplementary Planning Documents to be produced are:
- Developer Contributions
 - Affordable Housing
 - Design Guide
 - Local List
 - Parking Standards in New Development
 - Sustainable Drainage Systems
 - Renewable and Low Carbon Energy
- 6.3 The following section sets out the content and timetable for producing the above documents. All references to Regulations refer to [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#). Further Supplementary Planning Documents that are not listed in this section may also be produced in response to specific policy or site issues.

6a. Developer Contributions SPD

Overview	
Role and content	<p>The Developer Contributions Supplementary Planning Document will detail the process the Council will undertake to secure direct and financial contributions from development via Section 106 agreements and Unilateral Undertakings. Contributions are needed to make sure that new development contributes positively to the local environment and helps to mitigate against any adverse impacts.</p> <p>The SPD will sit alongside the CIL Charging Schedule to make clear the Councils' approach to securing contributions by all funding methods. It will also help to clarify the relationship between CIL and Section 106 agreements. It will be a key tool for the Development Control service in securing maximum planning gain from development.</p>
Status	Supplementary Planning Document
Geographical coverage	The Developer Contributions SPD will cover the South Worcestershire authorities of Worcester, Wychavon and Malvern Hills.
Jointly produced	<p>YES.</p> <p>The Developer Contributions SPD will be jointly prepared for the three South Worcestershire authorities of Worcester City Council, Wychavon District Council and Malvern Hills District Council but it will be separately adopted by each of the Councils.</p>
Chain of conformity	SWDP Policy 7: Infrastructure, SWDP 62: Implementation, Community Infrastructure Levy Charging Schedule/Regulation 123 List, National Planning Policy Framework, Community Infrastructure Levy Guidance, planning legislation and case law

Timetable (Completed Stages are shown in BLUE)	
Commencement	August 2013
Consultation	February - March 2014
Adoption	<p>October - November 2014</p> <p><i>Adoption to align with adoption of CIL Charging Schedule in line with advice in para 87 of 2013 CIL Guidance</i></p>

6b. Affordable Housing SPD

Overview	
Role and content	The Affordable Housing Supplementary Planning Document will provide detailed guidance on how the strategic policy in the South Worcestershire Development Plan will be implemented. It will give guidance on matters including the design, type, tenure, distribution and phasing of affordable housing and the circumstances where off-site contributions may be accepted.
Status	Supplementary Planning Document
Geographical coverage	The Affordable Housing SPD will cover the South Worcestershire authorities of Worcester, Wychavon and Malvern Hills.
Jointly produced	YES. The Affordable Housing SPD will be jointly prepared for the three South Worcestershire authorities of Worcester City Council, Wychavon District Council and Malvern Hills District Council but it will be separately adopted by each of the Councils.
Chain of conformity	SWDP Policy 15: Meeting Affordable Housing Needs, National Planning Policy Framework, planning legislation and case law

Timetable (Completed Stages are shown in BLUE)	
Commencement	September 2013
Consultation	February - March 2014
Adoption	August - September 2014

6c. Design Guide SPD

Overview	
Role and content	<p>The Design Guide SPD will provide a high-level design framework for new development that supports the diverse nature of good design. It will provide the necessary guidance to all those involved in the development process. It is intended that the Design Guide will include sections on:</p> <ul style="list-style-type: none"> • House extensions • Accessibility • Shopfronts • Lighting • Sustainable construction • Replacement dwellings in the countryside • Re-use of rural buildings
Status	Supplementary Planning Document
Geographical coverage	The Design Guide SPD will cover the South Worcestershire authorities of Worcester, Wychavon and Malvern Hills.
Jointly produced	<p>YES.</p> <p>The Design Guide SPD will be jointly prepared for the three South Worcestershire authorities of Worcester City Council, Wychavon District Council and Malvern Hills District Council but it will be separately adopted by each of the Councils.</p>
Chain of conformity	SWDP 4: Moving Around South Worcestershire, SWDP 12: Rural Employment, SWDP Policy 18: Replacement Dwellings in the Open Countryside, SWDP Policy 21: Design, National Planning Policy Framework, planning legislation and case law

Timetable (Completed Stages are shown in BLUE)	
Commencement	November 2013
Consultation	July - August 2014
Adoption	December 2014

6d. Local List SPD

Overview	
Role and content	The Local List Supplementary Planning Document will set out the criteria for selection of buildings to be included on the non-statutory Malvern Hills Local List of buildings of architectural or historic interest
Status	Supplementary Planning Document
Geographical coverage	The Local List SPD will cover the Malvern Hills District Council administrative area.
Jointly produced	NO. The SPD will be produced by Malvern Hills District Council alone.
Chain of conformity	SWDP 6: Historic Environment, SWDP Policy 21: Design, SWDP 24: Management of the Historic Environment, National Planning Policy Framework, planning legislation and case law

Timetable (Completed Stages are shown in BLUE)	
Commencement	2012 (information gathering and survey)
Consultation	Jan / February 2014
Adoption	June / July 2014

6e. Parking Standards in New Development SPD

Overview	
Role and content	The Parking Standards in New Development Supplementary Planning Document will set out locally determined car parking standards which will apply to all development proposals. These standards will then be used in decision making on planning applications.
Status	Supplementary Planning Document
Geographical coverage	The Parking Standards SPD will cover the South Worcestershire authorities of Worcester, Wychavon and Malvern Hills.
Jointly produced	YES. The Parking Standards in New Development SPD will be jointly prepared for the three South Worcestershire authorities of Worcester City Council, Wychavon District Council and Malvern Hills District Council but it will be separately adopted by each of the Councils.
Chain of conformity	SWDP 4: Moving Around South Worcestershire, National Planning Policy Framework, planning legislation and case law

Timetable (Completed Stages are shown in BLUE)	
Commencement	February 2014
Consultation	July - August 2014
Adoption	December 2014

6f. Sustainable Drainage Systems SPD

Overview	
Role and content	The Sustainable Drainage Systems Supplementary Planning Document will support the delivery of the higher level policy in the South Worcestershire Development Plan. It will provide guidance on the provision of sustainable drainage systems for the disposal of surface water and rainwater
Status	Supplementary Planning Document
Geographical coverage	The Sustainable Drainage Systems SPD will cover the authorities of Worcester and Malvern Hills.
Jointly produced	YES. The Sustainable Drainage Systems SPD will be jointly prepared for two of the South Worcestershire authorities: Worcester City Council and Malvern Hills District Council but it will be separately adopted by each Council. Worcestershire County Council will also play a key role as the lead local flood authority.
Chain of conformity	SWDP Policy 29: Sustainable Drainage Systems, Technical Guidance to the National Planning Policy Framework, planning legislation and case law

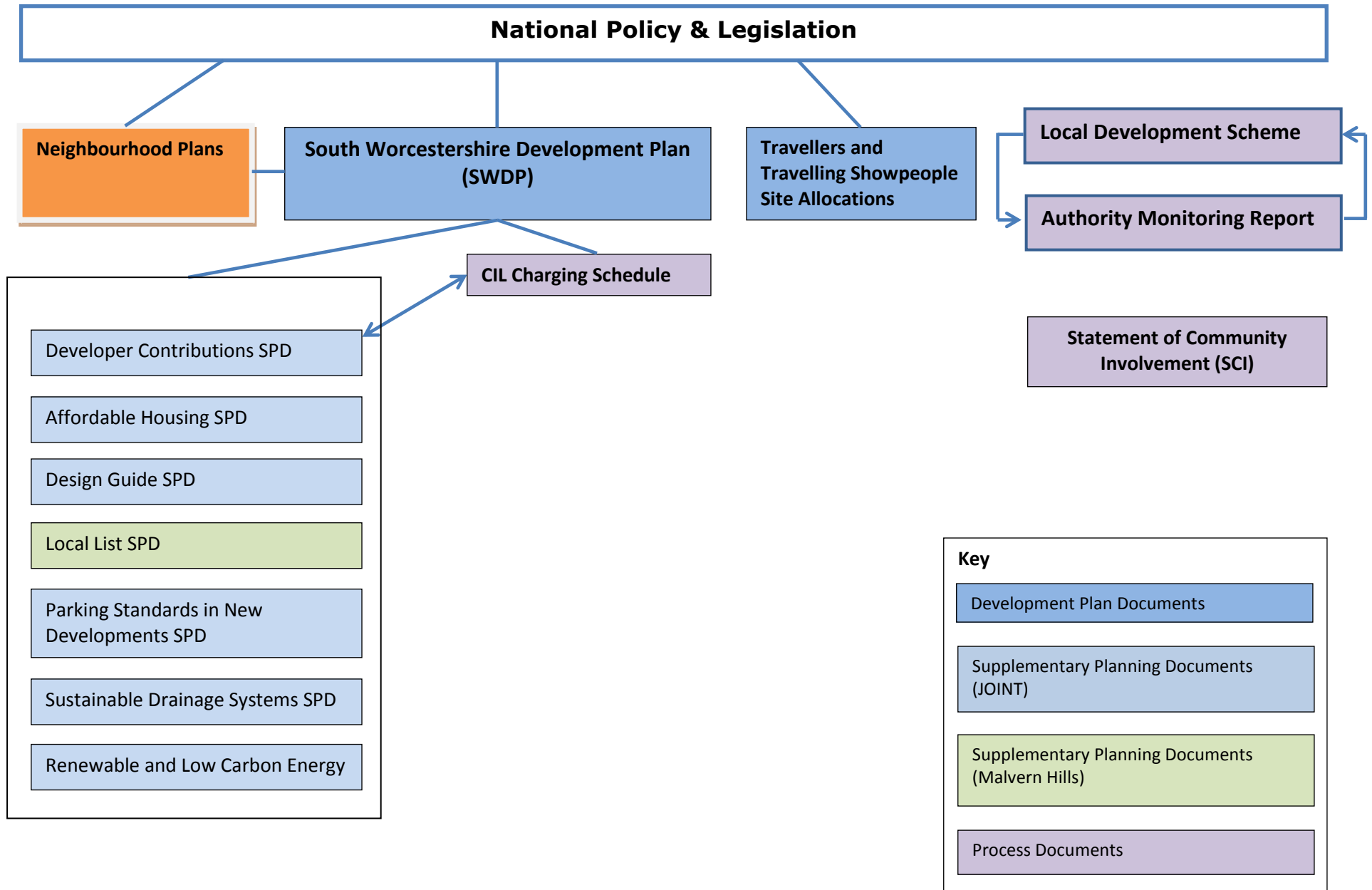
Timetable (Completed Stages are shown in BLUE)	
Commencement	October 2014
Consultation	March - April 2015
Adoption	August 2015

6g. Renewable and Low Carbon Energy SPD

Overview	
Role and content	The Renewable and Low Carbon Energy Supplementary Planning Document will set out the South Worcestershire Councils' approach to planning for renewable energy. It will provide guidance for developers in preparing planning applications for renewable energy developments as well as assisting elected members and council officers in determining planning applications.
Status	Supplementary Planning Document
Geographical coverage	The Renewable and Low Carbon Energy SPD will cover the South Worcestershire authorities of Worcester, Wychavon and Malvern Hills.
Jointly produced	YES. The Renewable and Low Carbon Energy SPD will be jointly prepared for the three South Worcestershire authorities of Worcester City Council, Wychavon District Council and Malvern Hills District Council but it will be separately adopted by each of the Councils..
Chain of conformity	SWDP Policy 27: Renewable and Low Carbon Energy, National Planning Policy Framework, planning legislation and case law

Timetable (Completed Stages are shown in BLUE)	
Commencement	October 2014
Consultation	March - April 2015
Adoption	August 2015

Malvern Hills Planning Policy Framework Diagram



7. Resources

- 7.1 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.

8. Risk Assessment

8.1 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.

Table 1: Risk Assessment

Area of risk	Likelihood/Impact and Consequence	Mitigation
Adequate staff resources	<ul style="list-style-type: none"> • Loss of Staff resources • 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"> • Leaders' 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

Area of risk	Likelihood/Impact and Consequence	Mitigation
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 Town and Parish Councils • Insufficient funding to resource LPA support • Diversion of staff resources from preparation of DPDs and SPDs 	<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 impact of neighbourhood plans on the LDS • 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 national policy • Use of latest guidance • Monitor future trends
Time required for consideration, consultation and decision making	<ul style="list-style-type: none"> • Slippage at partner Authorities • Unanticipated level of responses to consultation • Additional scrutiny stage(s) 	<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

9. Monitoring and review

Monitoring

- 9.1 There is a requirement to monitor the implementation of the Local Development Scheme³ and therefore 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. The AMRs must cover a continuous period, with no gap in coverage between reports.
- 9.2 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.
- 9.3 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) who are likely to perform a revised role in the future to oversee the implementation of the SWDP. As well as progress in plan-making, this will be the opportunity to report on the monitoring indicators in the adopted Local Plan to assess policy performance. The AMR will provide the evidence for the LPAs to consider whether there is a need to review the SWDP prior to the planned date of review (2019).

Review of the LDS

- 9.4 In response to the yearly monitoring against the Local Development Scheme, the South Worcestershire LDS Project Plan (contained at Appendix A) will be updated each year as necessary to provide real time information of any significant slippage. Anticipated delays or actual slippage against the published timetable will be addressed, with realistic revisions to key milestones proposed. Once agreed, updated Project Plans will be made available on the Councils' websites.
- 9.5 The Council anticipates that the next full review of the LDS will be in 2016. A further review will occur shortly prior to the start of the review of the South Worcestershire Development Plan. The latter is due in 2019. This is subject to the Council'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.

³ 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

Key:

1	Preparatory work including compiling evidence base	6	Publication of Proposed Submission document for representations (Regulation 19 For DPDs)	11	Inspector considers consultation responses*
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 (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*	R	Review

*May not be required. Dependent on outcome of Examination.

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

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 (Regulation 28)

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