



# Malvern Hills Local Development Scheme 2016-2019

## November 2016 Update

Produced jointly with the  
South Worcestershire Councils

Malvern Hills District Council  
The Council House  
Avenue Road  
Malvern  
Worcestershire  
WR14 3AF

## Contents

|   | <b>Page</b> |
|---|-------------|
| 1. What is a Local Development Scheme?  | 1           |
| 2. Progress to date   | 2           |
| 3. Development Plan Documents   | 4           |
| a. South Worcestershire Development Plan  | 5           |
| b. Travellers and Travelling Showpeople Site Allocations<br>Development Plan Document     | 6           |
| 4. Other important policy documents   | 7           |
| a. Community Infrastructure Levy Charging Schedule  | 7           |
| b. Statement of Community Involvement   | 8           |
| 5. Supplementary Planning Documents   | 13          |
| a. Developer Contributions  | 10          |
| b. Affordable Housing   | 11          |
| c. Renewable and Low Carbon Energy  | 11          |
| d. Planning for Health  | 12          |
| e. Design Guide   | 13          |
| f. Water Management & Sustainable Drainage Systems  | 13          |
| g. Archaeology and the Historic Environment   | 14          |
| h. Biodiversity   | 15          |
| <br>Malvern Hills Planning Policy Framework Diagram                                       | <br>16      |
| <br>6. Resources  | <br>17      |
| 7. Risk Assessment  | 17          |
| 8. Monitoring and review  | 19          |
| <br>Appendices  |             |
| A - South Worcestershire Local Development Scheme - Project<br>Plan/Gantt Chart 2016-2019 | 20          |

## 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 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 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 Since October 2010, Malvern Hills District Council has been working with Worcester City Council and Wychavon District Council to produce the joint South Worcestershire Development Plan (SWDP). 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 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 LDS has been updated to reflect changes to timetables to ensure it provides a useful source of information for interested parties and meets the requirements of the aforementioned Act. The intention of this revised LDS is threefold:
  - to report the progress made since the publication of the current LDS;
  - to inform interested parties of the changed timetable for the examination process and adoption of the SWDP; and
  - to provide a revised schedule for the preparation of the Supplementary Planning Documents.
- 1.4 The revised schedule presented in this Update to the Local Development Scheme came into effect on 1<sup>st</sup> December 2016, in line with the resolution of Malvern Hills District Council's Planning Committee on 24th November 2016.
- 1.5 The easiest place to view the 2016 Local Development Scheme is on the Planning Policy pages of the Malvern Hills District Council website, at: [www.malvernhills.gov.uk/local-development-scheme](http://www.malvernhills.gov.uk/local-development-scheme). A printed copy is also available to view from the **Worcestershire Hub Customer Services Desks** which are located at the libraries in Malvern, Tenbury Wells and Upton upon Severn.
- 1.6 If you have any questions about the LDS or how to access it, please contact us by: **Email: [developmentplans@malvernhills.gov.uk](mailto:developmentplans@malvernhills.gov.uk)** **tel: 01684 862151** and ask for the Planning Policy team.

## 2. Progress to date

### **Progress since publication of the September 2013 Local Development Scheme**

#### *South Worcestershire Development Plan*

- 2.1 The Inspector's report was published in January 2016 and the Plan was adopted on 25<sup>th</sup> February 2016.

#### *Minerals and Waste planning*

- 2.2 This is carried out by Worcestershire County Council (WCC). The Worcestershire Waste Core Strategy Development Plan Document was adopted in 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 summer 2015 the County Council undertook a further "call for minerals sites" together with a "call for resources and infrastructure that should be safeguarded".
- 2.5 A separate Minerals and Waste Local Development Scheme has been produced by Worcestershire County Council and is available on their website. It is anticipated that the Minerals Local Plan will be submitted for examination in Spring/ Summer 2017 with eventual adoption anticipated in Summer/Winter 2018.

#### *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 Stage | Submitted Neighbourhood plans |
|------------------------|--------------------------------|--|-------------------------------|
| Malvern Hills District | 12                             | 4  | 0                             |
| Worcester City         | 1 pending                      | 0  | 0                             |
| Wychavon District      | 13                             | 4  | 3                             |

#### *Supplementary Planning Documents*

- 2.7 Due to the delays in preparing the South Worcestershire Development Plan, progress on producing the associated Supplementary Planning Documents (SPD) has also been affected. However, The Developer Contributions SPD was adopted on 20<sup>th</sup> October 2016 and the Affordable Housing SPD was adopted on 26<sup>th</sup> October 2016. Both SPDs provide further information and guidance on the strategic policies in the SWDP.

Existing Development Plan for Malvern Hills District

- 2.8 The Council's existing Development Plan currently comprises of:
- South Worcestershire Development Plan 2016 (SWDP).
  - Worcestershire Waste Core Strategy Development Plan Document (adopted 2012)
  - Saved Policies from the Hereford and Worcester Minerals Local Plan (adopted 1997)

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.

Existing local planning policy framework

- 2.9 The wider planning policy framework for Malvern Hills consists of the following Supplementary Planning Documents/ Supplementary Planning Guidance:
- Affordable Housing SPD (October 2016)
  - Developer Contributions (SPD October 2016)
  - Local List of Heritage Assets SPD (May 2015)

### 3. Development Plan Documents

- 3.1 At Malvern Hills District Council, the Development Plan Documents to be produced over the next three years are:
- Traveller and Travelling Showpeople Site Allocations DPD (Joint with Worcester City and Wychavon District Councils)
- 3.2 The South Worcestershire Development Plan will be subject to a review in accordance with the timescales set out in the Plan. It is envisaged that a Plan review will commence by the end of 2019. A review could commence before this date if the Plan significantly fails to deliver its objectives and key policies/ proposals. It is also an option for the SWCs to consider taking actions other than a Plan review (such as bringing forward sustainable alternative / additional sites through the Development Management process if a more rapid response is demanded or appropriate.
- 3.3 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](#).

### 3a 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 second part of the plan includes site specific allocations, policies 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 administrative areas of Worcester, Wychavon and Malvern Hills.  |
| Jointly produced                   | YES.<br>The SWDP has been jointly produced by Malvern Hills District Council Worcester City Council and Wychavon District Council collectively known as the South Worcestershire Councils.  |
| Chain of conformity                | National Planning Policy Framework, Planning policy for Traveller sites, case law and planning legislation  |
| Milestones                         |   |
| <b>Adoption</b><br>(Regulation 26) | <b>February 2016</b>  |

### 3b. Travellers and Travelling Showpeople Site Allocations DPD

| <b>Overview</b>       |  |
|-----------------------|--|
| 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 DPD will cover the South Worcestershire authorities of Malvern Hills, Worcester and Wychavon.  |
| Jointly produced      | YES.<br>The Traveller and Travelling Showpeople DPD is being jointly produced by Malvern Hills District Council, Worcester City Council and Wychavon District Council Collectively known as the South Worcestershire Councils.   |
| Chain of conformity   | National planning policy for traveller sites, case law and planning legislation  |

| <b>Timetable (Completed Stages are shown in BLUE/Bold)</b> |   |
|--|---|
| <b>Commencement</b>  | <b>September 2014</b>   |
| <b>Initial consultation</b><br>(Regulation 18)             | <b>March / April 2016</b><br>June /July 2017 (repeated to allow for significant changes resulting from updating evidence) |
| <b>Publication</b><br>(Regulation 19)                      | December 2017   |
| <b>Submission</b><br>(Regulation 22)                       | March 2018  |
| <b>Independent Examination</b><br>(Regulation 24)          | May 2018<br><i>Precise dates of examination hearing sessions will be determined by the Inspector</i>                      |
| <b>Receipt of Inspector's Report</b><br>(Regulation 25)    | August 2018   |
| <b>Adoption</b><br>(Regulation 26)                         | September 2018  |



## 4 Other important planning policy documents

4.1 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 statutory Development Plan. These documents are:

- Community Infrastructure Levy Charging Schedule
- Statement of Community Involvement

4.2 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).

### 4a. Community Infrastructure Levy Charging Schedule

| Overview              |  |
|-----------------------|--|
| Role and content      | The Community Infrastructure Levy (CIL) Charging Schedule will allow 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 will be applied per m <sup>2</sup> of additional floorspace (gross internal area). The rate of the tariff will be determined by examining the ability of the development to bear the charge without unduly affecting viability.   |
| Status                | Non Development Plan Document  |
| Geographical coverage | The Community Infrastructure Levy will cover the Malvern Hills District administrative area.   |
| Jointly produced      | YES.<br>A joint evidence base including Viability Study has been prepared across the Worcestershire authorities by HDH Planning and Development. This has been prepared and published in various stages since January 2013. The CIL Charging Schedule for Malvern Hills will also be produced alongside those for Worcester City Council and Wychavon District Council. 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   | 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/Bold)                        |  |
|--|--|
| Commencement   | <b>May 2012</b>  |
| Consultation on Preliminary Draft Charging Schedule (PDCS) (Regulation 15) | <b>PDCS – prior to housing numbers uplift: September – October 2013</b><br><b>PDCS - Revised to take account of housing numbers uplift: (February- March 2015)</b> |
| Publication of Draft   | <b>April 2016</b>  |

| <b>Timetable (Completed Stages are shown in BLUE/Bold)</b> |   |
|--|---|
| <b>Charging Schedule</b><br>(Regulation 16)                |   |
| <b>Submission</b><br>(Regulation 19)                       | <b>July 2016</b>  |
| <b>Independent Examination</b>                             | August 2016 ( <i>on going</i> )<br><br><i>Hearing sessions - November 29-30<sup>th</sup> 2016</i> |
| <b>Receipt of Examiner's Report</b><br>(Regulation 23)     | December 2016   |
| <b>Adoption</b><br>(Regulation 25)                         | February 2017   |
| <b>Levy takes effect</b><br>(Regulation 28)                | 1 <sup>st</sup> April 2017  |

#### **4b. Statement of Community Involvement**

| <b>Overview</b>       |   |
|-----------------------|---|
| Role and content      | Malvern Hills District Council has an adopted Statement of Community Involvement (SCI) which was adopted in 2014. 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 Bill includes provisions relating to SCIs and as a result it is likely that the SWCs will need to update their SCIs within one year of the Bill being enacted. |
| Status                | Non Development Plan Document – Local Development Document  |
| Geographical coverage | The SCI covers the Malvern Hills District Council administrative area. It will be consistent with those of Wychavon District and Worcester City Councils in relation to joint working.  |
| Jointly produced      | The SCI was jointly produced across the South Worcestershire Councils.  |
| Chain of conformity   | Planning and Compulsory Purchase Act 2004 (as amended), National Planning Policy Framework and case law.  |

| <b>Timetable</b>    |                |
|---------------------|----------------|
| <b>Commencement</b> | February 2017  |
| <b>Consultation</b> | June 2017      |
| <b>Adoption</b>     | September 2017 |

## 5. Supplementary Planning Documents

- 5.1 At Malvern Hills District Council, a number of other planning policy documents known as Supplementary Planning 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 the likely content and timetable so that interested parties are made aware at the earliest opportunity of forthcoming consultations.
- 5.2 Supplementary Planning Documents provide further detail to policies in a Development Plan Document, to assist in their implementation. Two SPDs have recently been adopted:
- Developer Contributions (Joint)
  - Affordable Housing (Joint)
- 5.3 In addition, it is intended to complete production on a further four SPDs in the 2017 calendar year:
- Renewable and Low Carbon Energy (Joint)
  - Health (Joint)
  - Design Guide (Joint)
  - Water Management and Sustainable Drainage Systems (Joint)
- 5.4 It is the south Worcestershire Councils intention to take forward a further two SPDs as and when available resources permit:
- Archaeology and Historic Environment (Joint)
  - Biodiversity (Joint)
- 5.5 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.

## 5a. 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 Management team 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 Malvern Hills, Worcester and Wychavon.  |
| Jointly produced      | <p>YES.</p> <p>The Developer Contributions SPD has been jointly prepared for the three South Worcestershire authorities of Malvern Hills District Council , Worcester City Council and, Wychavon District Council but has been separately adopted by each 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/Bold) |   |
|---|---|
| <b>Commencement</b>                                 | <b>August 2013</b>                                    |
| <b>Consultation</b><br>(Regulation 13)              | <b>January-February 2015</b><br><b>April-May 2016</b> |
| <b>Adoption</b><br>(Regulation 14)                  | <b>October 2016</b>                                   |

## 5b. Affordable Housing SPD

| Overview              |   |
|-----------------------|---|
| Role and content      | The Affordable Housing Supplementary Planning Document provides detailed guidance on how the strategic policy in the South Worcestershire Development Plan will be implemented. It gives 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 covers the South Worcestershire Councils' administrative areas.  |
| Jointly produced      | YES.<br>The Affordable Housing SPD has been jointly prepared for the three South Worcestershire authorities of Malvern Hills District Council Worcester City Council, and Wychavon District Council but it will be separately adopted by each Councils.   |
| Chain of conformity   | SWDP Policy 15: Meeting Affordable Housing Needs; SWDP 16 Rural Exception Sites; SWDP 20 Housing to Meet the needs of Older People; SWDP 62 Implementation, National Planning Policy Framework, planning legislation and case law   |

### Timetable (Completed Stages are shown in BLUE/Bold)

|  |                           |
|--|---------------------------|
| <b>Commencement</b>                    | <b>December 2014</b>      |
| <b>Consultation</b><br>(Regulation 13) | <b>March – April 2016</b> |
| <b>Adoption</b><br>(Regulation 14)     | <b>October 2016</b>       |

## 5c. 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.<br>The Renewable and Low Carbon Energy SPD will be jointly prepared for the three South Worcestershire authorities of Malvern Hills District Council, Worcester City Council and Wychavon District Council but it will be separately adopted by each Council.  |
| Chain of conformity   | SWDP Policy 27: Renewable and Low Carbon Energy, National Planning Policy Framework, planning legislation and case law  |

### Timetable

|                     |              |
|---------------------|--------------|
| <b>Commencement</b> | January 2017 |
|---------------------|--------------|

|  |                         |
|--|-------------------------|
| <b>Consultation</b><br>(Regulation 13) | May / June 2017         |
| <b>Adoption</b><br>(Regulation 14)     | September/ October 2017 |

## 5d. Planning for Health SPD

| Overview              |  |
|-----------------------|--|
| Role and content      | The Planning for Health Supplementary Planning Document will set out the South Worcestershire Councils' approach to planning for health. It will principally provide guidance for developers in the preparation of planning applications to ensure opportunities for healthy living and active lifestyles are made in line with, and complement local authorities' new statutory health responsibilities. This can include for example the provision of accessible open space and facilities, opportunities for sustainable transport options such as cycling, access to health and well- being facilities and the impact of secondary health benefits such as mental health. It will also assist elected members and council officers in determining planning applications. |
| Status                | Supplementary Planning Document  |
| Geographical coverage | The Planning for Health SPD will cover the South Worcestershire authorities of Worcester, Wychavon and Malvern Hills.  |
| Jointly produced      | YES.<br>The Planning for Health SPD will be jointly prepared by the three South Worcestershire Councils, i.e. Worcester City Council, Wychavon District Council and Malvern Hills District Council but it will be separately adopted by each Council. Its preparation will be led by Worcestershire County Council's planning team and will also involve collaboration with other key stakeholders including the County's Public Health Team and south Worcestershire Health Community (CCG), the NHS Commissioning Board and the Voluntary and Community Sector.  |
| Chain of conformity   | SWDP 1: Overarching Sustainable Development principles; SWDP 4 Moving around South Worcestershire, SWDP 5 & 38 Green Infrastructure, and Local Green Network; SWDP 7 Infrastructure, SWDP 21 Design, SWDP 37: Indoor Leisure and Community Facilities, SWDP 39 Provision for outdoor Community Uses in New Development , National Planning Policy Framework, planning legislation and case law   |

| Timetable                              |                              |
|--|------------------------------|
| <b>Commencement</b>                    | January 2016                 |
| <b>Consultation</b><br>(Regulation 13) | December 2016 / January 2017 |
| <b>Adoption</b><br>(Regulation 14)     | May 2017                     |

## 5e. Design Guide SPD

| Overview              |  |
|-----------------------|--|
| Role and content      | 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: <ul style="list-style-type: none"> <li>• House extensions</li> <li>• Accessibility</li> <li>• Lighting</li> <li>• Sustainable construction (including renewable and low carbon energy requirements)</li> <li>• Replacement dwellings in the countryside</li> <li>• Re-use of rural buildings</li> </ul> |
| Status                | Supplementary Planning Document  |
| Geographical coverage | The Design Guide SPD will cover the South Worcestershire Councils administrative areas   |
| Jointly produced      | YES.<br>The Design Guide SPD will be jointly prepared for the three South Worcestershire authorities of Malvern Hills District Council Worcester City Council, and Wychavon District Council but it will be separately adopted by each Councils  |
| 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                    |               |
|------------------------------|---------------|
| Commencement                 | November 2016 |
| Consultation (Regulation 13) | June 2017     |
| Adoption (Regulation 14)     | December 2017 |

## 5f. Water Management & Sustainable Drainage Systems SPD

| Overview              |  |
|-----------------------|--|
| Role and content      | The Water Management & Sustainable Drainage Systems SPD 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 Water Management & Sustainable Drainage Systems SPD will cover the South Worcestershire Councils' administrative areas.  |
| Jointly produced      | YES.<br>The Water Management & Sustainable Drainage Systems SPD will be jointly prepared for the three South Worcestershire Councils of Worcester City Council, Wychavon District Council and Malvern Hills District Council but it will be separately adopted by each of the        |

|                     |   |
|---------------------|---|
|                     | Councils. 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                              |                         |
|--|-------------------------|
| <b>Commencement</b>                    | January 2017            |
| <b>Consultation</b><br>(Regulation 13) | May/June 2017           |
| <b>Adoption</b><br>(Regulation 14)     | September/ October 2017 |

## 5g. Archaeology and the Historic Environment SPD

| Overview              |  |
|-----------------------|--|
| Role and content      | <p>The Archaeology and the Historic Environment SPD will assist with the local application of national policy and interpretation of strategic local policies to preserve south Worcestershire's rich historic environment. It will:</p> <ul style="list-style-type: none"> <li>• Promote better understanding and appreciation of the historic environment</li> <li>• Protect and enhance the historic environment.</li> <li>• Ensure that all development proposals take proper account of local distinctiveness.</li> <li>• Make the historic environment accessible to everyone and ensure that it is seen as something with which the whole society can identify and engage.</li> <li>• Explain how the protection of the historic environment and the promotion of opportunities for change can contribute to sustainable development.</li> </ul> |
| Status                | Supplementary Planning Document  |
| Geographical coverage | The Archaeology and the Historic Environment SPD will cover the South Worcestershire Councils' administrative areas.   |
| Jointly produced      | <p>YES.</p> <p>The Archaeology and the Historic Environment SPD will be jointly prepared for the South Worcestershire Councils of Worcester City Council, Wychavon District Council and Malvern Hills District Council but it will be separately adopted by each Council.</p>  |
| Chain of conformity   | SWDP Policy 6: Historic Environment, SWDP Policy 24: Management of the Historic Environment, National Planning Policy Framework, planning legislation and case law   |

| Timetable                              |                          |
|--|--------------------------|
| <b>Commencement</b>                    | January 2018             |
| <b>Consultation</b><br>(Regulation 13) | November / December 2018 |
| <b>Adoption</b><br>(Regulation 14)     | May 2019                 |

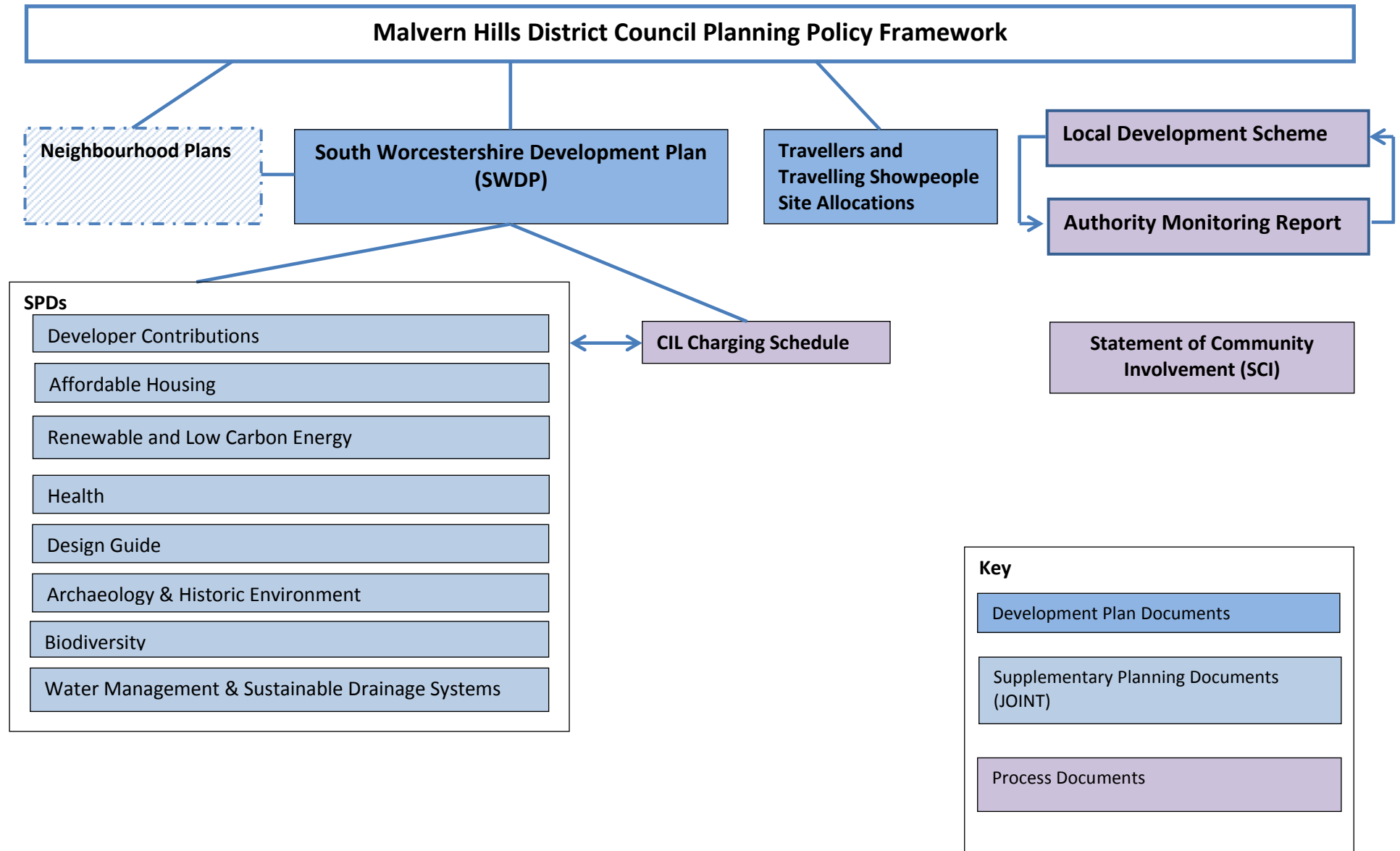


## 5h. Biodiversity SPD

| Overview              |  |
|-----------------------|--|
| Role and content      | The SPD will set out how the South Worcestershire Councils propose to protect areas of nature conservation, give guidance on biodiversity requirements in the development process and establish best principles and practice for habitat and species protection across the districts and the city. |
| Status                | Supplementary Planning Document  |
| Geographical coverage | The Biodiversity SPD will cover the South Worcestershire Councils' administrative areas.   |
| Jointly produced      | YES.<br>The Biodiversity SPD will be jointly prepared for the South Worcestershire Councils of Worcester City Council, Wychavon District Council and Malvern Hills District Council but it will be separately adopted by each Council.   |
| Chain of conformity   | SWDP Policy 22: Biodiversity and Geodiversity, National Planning Policy Framework, planning legislation and case law   |

| Timetable                              |                         |
|--|-------------------------|
| <b>Commencement</b>                    | March 2018              |
| <b>Consultation</b><br>(Regulation 13) | January / February 2019 |
| <b>Adoption</b><br>(Regulation 14)     | July 2019               |

### 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 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.

## 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.

**Table 1: Risk Assessment**

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

Malvern Hills Local Development Scheme 2016 -2019

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

## 8. Monitoring and review

### Monitoring

8.1 There is a requirement to monitor the implementation of the Local Development Scheme<sup>1</sup> 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 not greater than 12 months long. 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, the first will cover the period 26<sup>th</sup> February 2016 (after the SWDP adoption date) to 31<sup>st</sup> March 2017 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 adopted Local Plans to assess policy performance. The AMR will provide the evidence for the LPAs to consider whether there is a need to review the Local Plan prior to the date of review set by the Local Plan.

### Review of the LDS

8.4 In response to the yearly monitoring against the Local Development Scheme, the South Worcestershire LDS Project Plan/Gantt Chart (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' website. It is anticipated that this will take place at the start of each calendar year.

8.5 The Local Planning Authority anticipates that the next full review of the LDS will be in late 2017. A further review will occur prior to the start of the review of the South Worcestershire Development Plan. The latter is due in 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.

---

<sup>1</sup> 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 - DPDs and SPDs**

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

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

**Key - CIL Charging Schedule Key:**

|           |  |            |  |
|-----------|--|------------|--|
| <b>C1</b> | Preparatory work including compiling evidence base                               | <b>C7</b>  | Consideration of representations   |
| <b>C2</b> | Preparation of Preliminary Draft Charging Schedule and draft Regulation 123 List | <b>C8</b>  | Submission of DCS<br><b>(Regulation 19)</b>  |
| <b>C3</b> | Public Consultation on PDCS and draft Reg 123 List<br><b>(Regulation 15)</b>     | <b>C9</b>  | CIL Examination  |
| <b>C4</b> | Consideration of representations   | <b>C10</b> | Receipt of CIL Examiner's recommendations<br><b>(Regulation 23)</b>                                    |
| <b>C5</b> | Preparation of Draft Charging Schedule and final Reg 123 List                    | <b>C11</b> | Approval and publication<br><b>(Regulation 25)</b>   |
| <b>C6</b> | Consultation on DCS and Reg 123 List<br><b>(Regulation 16)</b>                   | <b>C12</b> | Final preparatory work prior to the Charging Schedule taking effect 01/04/17<br><b>(Regulation 28)</b> |

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