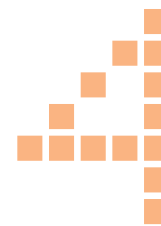


## PLAN PREPARATION

# Local Development Frameworks: What are they and how are they prepared?



This is Sheet 4 of The Planning Pack. This pack has been written by Planning Aid, with assistance from Urban Forum. The Planning Pack is endorsed by the Royal Town Planning Institute

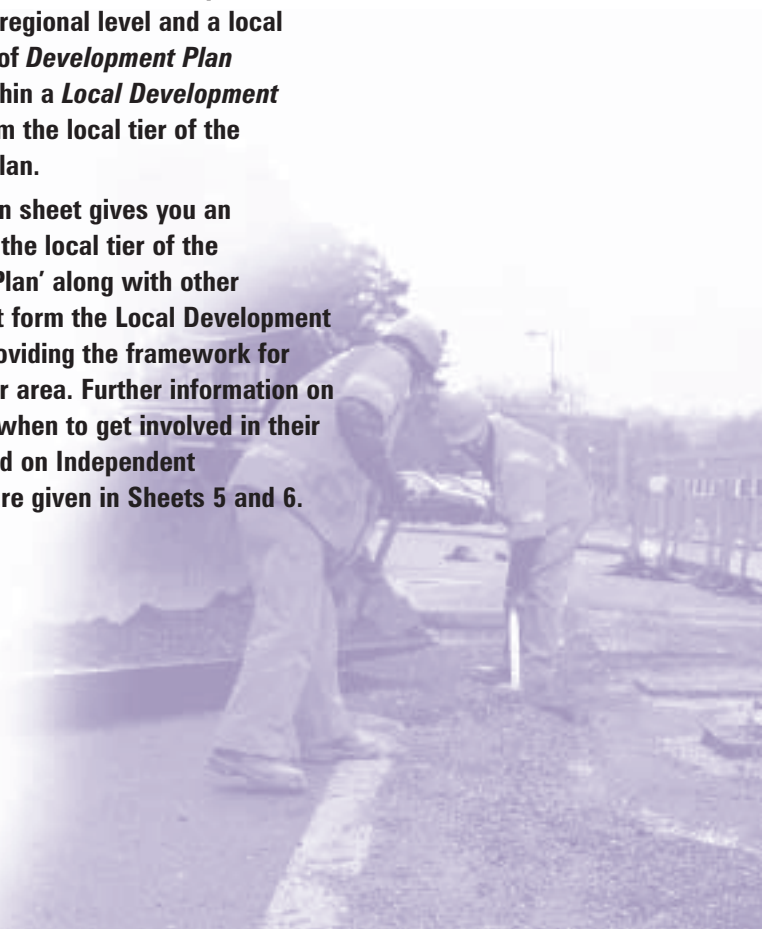
## Introduction

This information sheet provides an introduction to *Local Development Frameworks (LDFs)*. It is Sheet 4 of a series of 17 that forms an information pack to help you understand and get involved in the planning system.

In England the planning system is a 'Plan Led' one. This means that Plans known as *Development Plans* guide new building and the use of land to help ensure that there is a balance between development and conservation of the environment in the public interest. It is important that you understand what 'development plans' are, what they do and how they are prepared so that you can get involved and influence development that takes place in your area. *The earlier you get involved the better.* This is because it is in the making of these 'development plans' that difficult decisions will have to be made to ensure that there is a balance between development, economic growth and the conservation of the environment.

There are two tiers to the Development Plan in your area, a regional level and a local level. A series of *Development Plan Documents* within a *Local Development Framework* form the local tier of the Development Plan.

This information sheet gives you an introduction to the local tier of the 'Development Plan' along with other documents that form the Local Development Framework, providing the framework for planning in your area. Further information on why, how and when to get involved in their preparation, and on Independent Examinations are given in Sheets 5 and 6.



## The Development Plan System – what is it for?

The law places a duty on local planning authorities (unitary, county, boroughs, district and national park authorities) to produce a series of documents that form a **Local Development Framework** for their area. Local Development Frameworks allow local planning authorities to manage development in their area and set out the factors they will take into account when deciding planning applications. Generally plans will aim to:

- >> contribute to the achievement of sustainable development;
- >> bring issues before local people and provide opportunities for them to identify issues and participate in the process;
- >> guide and promote development, such as housing, retail, employment and community facilities to where and when it is needed;
- >> protect existing assets such as recreation areas, wildlife and buildings of special interest;
- >> improve the quality of the physical environment;
- >> give a degree of certainty to landowners, developers and the public as to the likely future pattern and location of development.

Overall, plans will aim to balance different and possibly conflicting demands on the land and the environment. As a result the plan-making process can lead to difficult and contentious decisions being made.

You should be aware that Development Plans, at both the regional and local level, are the most important consideration in deciding planning applications. The law makes it clear that decisions on planning applications should be made in accordance (in line) with the policies and proposals within the Development Plan unless other strong planning reasons or 'material considerations' indicate otherwise. For more information on what is classed as a material consideration see Sheet 5 and Sheet 9. It is therefore very important that you get involved in the preparation of planning policies and proposals within these Development Plans, and the sooner you get involved the greater the influence you can have on planning in your area.

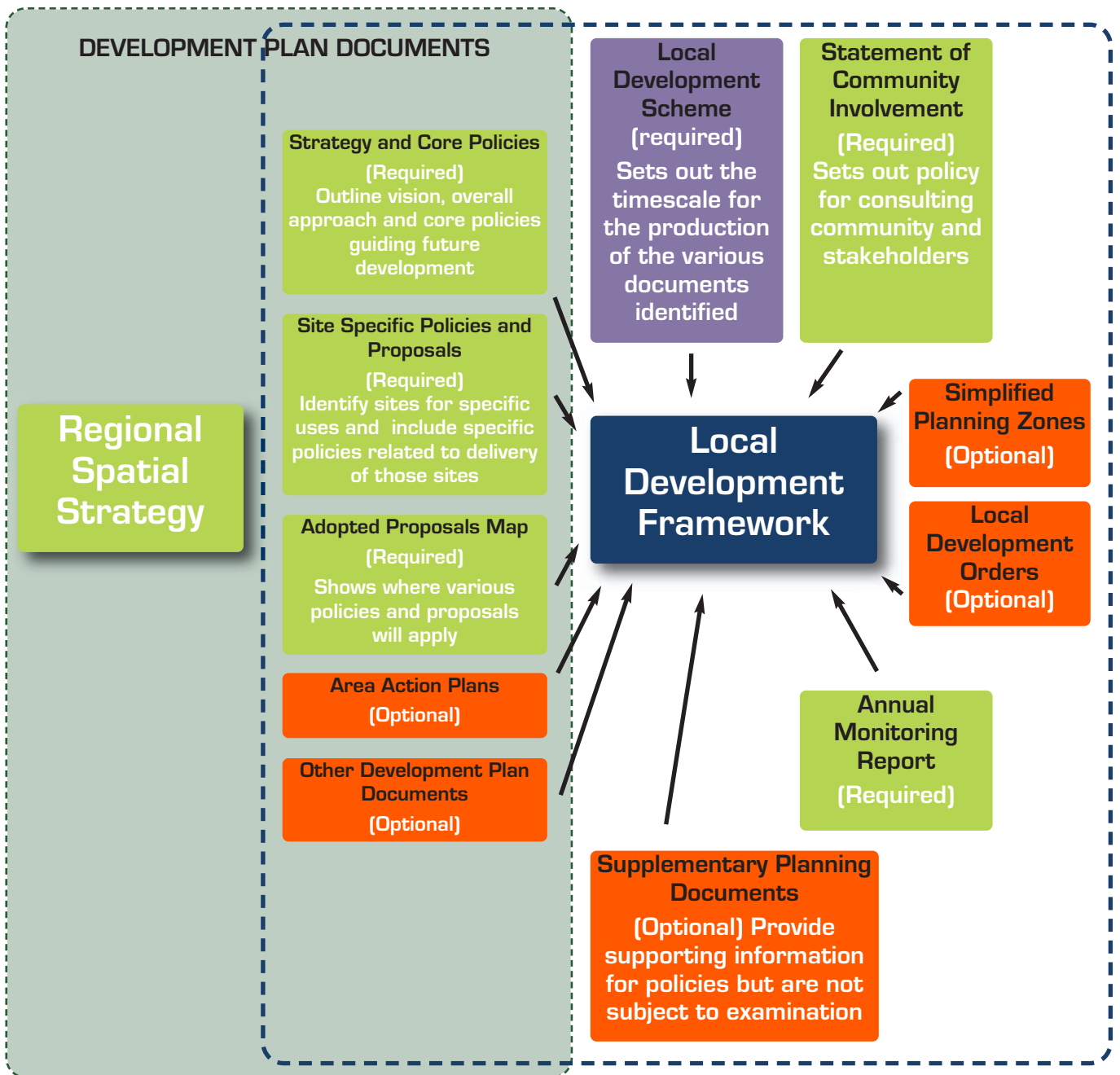


# What do Local Development Frameworks look like?

Local Development Frameworks consist of a series of documents, known as Local Development Documents. They set planning policy for your area and are key considerations when deciding planning applications. Also included within the Local Development Framework are project management documents.

These set out what documents will be produced and when, and identify how effective the policies are and when they will be reviewed. The diagram below illustrates the types of documents that make up the Local Development Framework. An explanation of the purpose of these documents follows.

## The Local Development Framework (LDF) “Folder”



Adapted from PPS 12, ODPM (2004)

optional    required    project plan

## Local Development Documents:

### Development Plan Documents

Development Plan Documents form the main consideration when deciding planning applications, so it is very important to know what these documents say, and understand how they will affect your area. Development Plan Documents can also be referred to as Local Development Documents. Development Plan Documents include a Core Strategy, Site Specific Policies and Proposals, Adopted Proposal Map, Areas Action Plan, and other Development Plan Documents.

**>> Core Strategy: (required)** This is a very important document that sets out the long term vision (10+ years) for the area, the strategic objectives, and the strategic planning policies needed to deliver that vision. It should help deliver the spatial elements of the Sustainable Community Strategy (the objectives that affect how your area will look and how it is used). It will include a broad indication of the locations for land use such as housing, employment, retail and other uses. A framework for monitoring and implementation of the policies should be included in the document. It is a key part of the planning framework for your area and all of the other local development documents should be consistent (in line) with it. It is important that you get involved with the development of the core strategy and that you understand the policies within it, as they will affect later decisions made on policies within other documents and decisions on planning applications.

**>> Site Specific Policies and Proposals: (required)** This document allocates land for specific uses, such as housing and employment, The documents can identify the criteria for control of development on specific sites i.e. details of any specific criteria related to development of that site, like design, access requirements, or level of affordable housing. Sites should be identified on a robust and credible assessment of the suitability, availability and accessibility of land for particular uses or mix of uses. Any allocations made in these documents will be clearly linked to the Adopted Proposals Map and other planning policy documents like Area Action Plans.

**>> Adopted Proposals Map: (required)** The adopted proposals map illustrates the policies within all the other development plan documents, for example it will identify areas of protection such as Green Belts, Conservation Areas, and Areas of Outstanding Natural Beauty. It will illustrate the location sites for specific uses such as housing, employment, retail, and community facilities. There may be inset maps for areas covered by action plans. This document will be updated in line with changes in other development plan documents.

**>> Area Action Plans: (optional)** These are plans that are specific to a geographical area that is in need of significant change, or conservation (eg regeneration, or growth areas, or an area where there is significant pressure for development). The action plan could identify sites for specific uses, specific policies and proposals for that area. They may also include detailed design criteria to apply to that area, and a timetable for implementation. Action plans should help to ensure development of appropriate scale, mix and quality in those areas.

**>> Other Documents, e.g. Development Control Policies: (optional)** These policy documents may provide a set of criteria to assess applications, for example on the protection of residential amenity. These policies can be produced in a separate document or might be included within the Core Strategy (see above).

**>> Other Documents: eg Topic Based documents: (optional)** these can be themed policy documents for example covering housing, employment or retail development, or waste and minerals in unitary authorities. They assist the planning authority to determine planning applications. These policies may form part of the core strategy document or can be separate standalone documents.

You should be aware that each local planning authority may adopt a different approach to development of and the exact make up of their Local Development Frameworks. This allows the framework, and policies within it, to be tailored to your local area's needs and aspirations. No two Local Development Frameworks will be the same.

You should also be aware that each local planning authority is at a different stage in transferring from the old planning system to the new system. Some local planning authorities have only recently 'adopted' plans called Unitary Development Plans, or Local Plans and Structure Plans. Where this is the case the policies within these documents may continue to operate for some time. These policies are known as 'saved' policies, and the local planning authority may progress steadily into the new system. Other local planning authorities may progress relatively quickly into the new system preparing the new style 'Local Development Framework' documents. In all cases the Local Development Scheme, see below, will state which policies are in operation in your area and when new documents will be prepared.

## Other Local Development Documents:

These documents include policies which will be considered when deciding planning applications.

**>> Statement of Community Involvement: (required)** This sets out the local authority's approach to consultation explaining how and when you can get involved in planning matters, from planning applications to planning policy preparation. See sheet 7 for more information.

**>> Supplementary Planning Documents: (optional)** These are topic or area based policy documents that provide further detail to support a policy or number of policies in Development Plan Documents (listed above). For example a supplementary planning document might be a design guide (residential design), a development brief (for a site), or a topic or issue based document (affordable housing, disabled access and planning).

**>> Local Development Orders: (optional)** These are made by a planning authority in order to extend permitted development rights for certain forms of development. For example an authority, in consultation with the residents of a specific area might decide that extensions of less than a certain size do not require a formal planning application as long as the design takes into account certain criteria. To make an Order there needs to be a policy, or proposal, for such an order in a Development Plan Document.

**>> Simplified Planning Zone: (optional)** This is an area in which a local planning authority wants to stimulate development and encourage investment. It operates by granting planning permission, for specific uses and design criteria, in the zone without the need for a formal application or the payment of planning fees.

## Project Management Documents:

These documents do not contain planning policies and are not considered when making decisions on planning applications, but they do contain important information about when documents will be produced and reviewed.

**>> Local Development Scheme: (required)** This is one of the most important documents for you to look at, as it is your opportunity to find out what might happen in your area. It is a project plan for the planning department, providing the programme for updating policy documents, creating new policy documents, and outlining the main stages in production, including the opportunities for your involvement. It should identify all existing planning policies used for deciding applications. Progress against targets set within the Local Development Scheme will be outlined in the Annual Monitoring Report.

**>> Annual Monitoring Report: (required)** This enables the local authority to assess the extent that the policies and proposals set out in all the Local Development Documents are being achieved. This allows the local planning authority to identify when a review of policies or proposals will be necessary.

## Minerals and Waste Policies

Minerals and Waste policies are dealt with slightly differently. Where Unitary Authorities exist, they prepare Waste and Minerals Development Plan Documents, or they may choose to prepare a joint Mineral and Waste Document with a neighbouring authority. In other areas, the County Councils are responsible for the production of Waste and Minerals Development Frameworks, which can be prepared by the county alone or jointly with one or more neighbouring authorities, in which case a separate Statement of Community Involvement is prepared. The process for preparing waste and minerals policy documents is identical to the other Development Plan Documents.

## What Local Development Frameworks cannot do

Firstly, although the Development Plan Documents within the Local Development Framework are the main consideration in deciding planning applications, they cannot require that development takes place and cannot guarantee what land will be used for in the future.

Secondly, Development Plans can only deal with spatial issues, or how land is used, as defined in legislation. For example, they can deal with the provision of open space, but not its management. Also, they cannot address other local authority services, such as refuse collection, or prevent competition between businesses.

## Context for Local Development Framework preparation

Development plans must take as their starting point the Regional Spatial Strategy (the regional level of the Development Plan) and National and Regional Policy and Guidance issued by the Government and other regional bodies.

Government guidance takes the form of **Planning Policy Statements (PPSs)** **Mineral Policy Statements (MPSs)** and Government Circulars, together with other statements of policy that are issued from time to time eg "Sustainable Communities: Building for the future (2003)".

Planning Policy Statements are of particular importance and cover a wide range of topics, including housing, retail, transport and nature conservation. Planning Policy Statement 12 and its accompanying guide provide guidance on Local Development Framework preparation. (See Sheet 16 for a full list of all Planning Policy Statements)

**Regional Spatial Strategies** are published by the Government through Regional Planning Bodies (Regional Planning Bodies are made up of representatives from local planning authorities, the business sector and voluntary sector). Regional Spatial Strategies set the framework for local 'development plan' preparation for each region (e.g. West Midlands, Yorkshire and Humber) over a 15-20 year period. It puts forward a regional vision, sets out broad development principles, such as where growth should be located, sets overall housing targets and identifies major themes, issues and development locations. The Regional Planning Body is responsible for

ensuring that local development documents produced as part of the Local Development Framework are in general conformity with (in line) the Regional Spatial Strategy. See sheet Two for more information.

**Regional Economic Strategies** and **Regional Sustainable Development Frameworks** provide a further context for preparation of development plans.

Local planning authorities must also take account of previously adopted development plans for their areas and their own non-statutory plans and strategies. This includes the sustainable community strategy and policy documents, including any supplementary planning documents they may have prepared and adopted, for example on biodiversity, car parking and residential design guides (please note these documents may still be known as Supplementary Planning Guidance, prepared under the old planning system).

Parish plans, town plans and village design statements and other reports with development/ land use implications, prepared by local community groups or other bodies, should also be used by the local authority to feed into the preparation of the Local Development Framework. These are likely to carry more weight if they are up to date and have been subject to extensive consultation.

**Sustainability:** Each of the policy documents prepared will be subject to a continuous Sustainability Appraisal. The local planning authority must use the appraisal to inform the development of options and policies. Both the draft and final Sustainability Appraisals will be available for public comment and opportunities for your involvement should be made clear in the Statement of Community Involvement. Following the adoption of any document, the planning authority should produce a statement showing how the final document has been influenced by the sustainability appraisal process.

## How are Local Development Frameworks prepared?

The earlier you get involved the preparation of the Local Development Framework the more influence you can have on what the documents say ( see Sheet 5 for more information on how you can get involved in the preparation of these important documents). Each Local Development Framework document can be prepared separately by the local planning authority. The Local Development Scheme explains which documents will be produced and when. Each document will be prepared in a series of stages and your involvement throughout the process is important. The two diagrams on

## THE PROCESS FOR PREPARING A DEVELOPMENT PLAN DOCUMENT

### EVIDENCE GATHERING

Involves local planning authority (LPA) collecting / preparing relevant reports / studies e.g housing need, land availability. To inform them about current issues. Scoping Sustainability Appraisal started.

### ISSUES AND OPTIONS

The evidence is considered, the key issues are highlighted. Different ways or options to address the issues are identified through consultation. Initial Sustainability Appraisal Report is consulted on.

### PREFERRED OPTIONS

The favourite Options identified from consultation will be developed and include draft policies, proposals and alternatives to deliver the areas vision. Sustainability Appraisal Report issued. 6 week consultation.

### PREPARATION AND SUBMISSION OF DOCUMENT

The LPA will consider all comments and provide a report to say how they will deal with them. The LPA will then revise the draft document, Sustainability Appraisal Report, and justify policies. The document is sent to the government for testing, and made available for comment for 6 weeks.

### INDEPENDENT EXAMINATION

An independent Inspector will examine the final document against 9 tests, taking into account all comments received. The inspector will decide if it is a Reasonable/Sound document.

### BINDING REPORT

Having considered the evidence the Inspector will publish a report, with recommendations for changes to the document. The LPA must follow these recommendations.

### ADOPTION AND MONITORING

Once changes are made in line with the Inspectors report, the LPA should adopt the document. A report monitoring the effectiveness of the document will be produced annually.

## THE PROCESS FOR PREPARING A SUPPLEMENTARY PLANNING DOCUMENT

### EVIDENCE GATHERING

Involves local planning authority (LPA) collecting/ preparing relevant reports / studies e.g housing need, land availability. To inform them about current issues. Scoping Sustainability Appraisal started.

### PREPARE AND PUBLISH DRAFT

After considering the evidence. The LPA will prepare and then publish a draft of the detailed policies. A draft Sustainability Appraisal will be prepared, and consulted on at this stage.

### REVIEW REPRESENTATIONS AND FINALISE DOCUMENT

There is no examination. A report identifying main comments and stating how they will be dealt with will be published. The Final document will be revised in line with comments and a report will be prepared to go to planning committee/Cabinet/ Council to decide if the document should be adopted.

### ADOPTION, MONITORING AND REVIEW

If the final document is approved for adoption by the council a Formal Notice for adoption will be published. Once adopted the document will be part of the local development framework and will be monitored. Monitoring reports are published yearly. The document will be reviewed when a need is identified.

TIMESCALE FOR PREPARATION (APPROX THREE YEARS)

TIMESCALE FOR PREPARATION (APPROX ONE YEAR)

page 7 set out the different stages for preparation. The first looks at the preparation of the local layer of Development Plan Documents. It is very important to note that the best time to get involved is in the first 4 stages, namely evidence gathering, issues and options, preferred options and submission stage). The second diagram illustrates the process for preparing Supplementary Planning Documents. You should aware that Development Plan Documents are subject to a stage of independent judgement by a Planning Inspector.

Supplementary Planning Documents do not go through this process they are matters for the local planning authority.

The process for preparing the Statement of Community Involvement is similar to that for preparing Development Plan Documents (See Sheet 7 for more information on Statements of Community Involvement)

In relation to Local Development Schemes, the local authority prepares these and then submits them to the Secretary of State for approval. Currently there is no requirement to consult the general public, or other organisations.

The processes may appear complicated. You can seek additional advice from your local planning authority, your local Planning Aid Service (if you are eligible) or a planning consultant.

Planning policies within the Local Development Framework have significant implications for deciding planning applications, so it is important to get involved in their preparation at the earliest possible stage. Sheet 5 provides more information on how and why to get involved with the preparation of planning policy.

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