



South Worcestershire Local Development Scheme (LDS) 2021-2024

January 2022 Update

Produced by
Malvern Hills District
Council, Worcester City
Council, and Wychavon
District Council

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1. What is the Local Development Scheme?

- 1.1 The Local Development Scheme (LDS) is a project management document which sets out the South Worcestershire Council's priorities for preparing planning policy documents over the next two years. It is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended) that a Local Planning Authority should produce an LDS, which must include any Development Plan Documents it intends to prepare and a timetable indicating the main milestones of production. The 2004 Act also sets out several other requirements to be included in the LDS.
- 1.2 Since October 2010, the South Worcestershire Councils (SWC) of Malvern Hills, Worcester City and Wychavon have been working together to produce the joint South Worcestershire Development Plan (SWDP), which was adopted in February 2016. Joint working on this strategic planning document has brought together many other work streams and has also created the need for further joint working in the future. The South Worcestershire Councils are therefore continuing to combine resources on many planning policy matters and have worked collaboratively to prepare the shared elements of this LDS. This version of the LDS is the first to be prepared and adopted jointly covering all three of the partner Local Planning Authorities.
- 1.3 Paragraph 33 of the National Planning Policy Framework (NPPF) states that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary¹. Reviews should be completed no later than five years from the adoption date of a plan and should consider changing circumstances affecting the area, or any relevant changes in national policy.
- 1.4 Accordingly, the South Worcestershire Councils commenced a joint review of the SWDP in late 2017. Whilst good progress on the review has been made, the production of the SWDP has been substantially impacted by the Covid-19 pandemic. The intention of this LDS update therefore is:
- to set out the updated timetable for the SWDP Review;
 - to report on the progress made since the publication of the October 2021 LDS; and
 - to set out the updated timetable for the Travellers and Travelling Showpeople Policies and Site Allocations Development Plan Document.
- 1.5 The LDS documents can be viewed online on the SWDP website [South Worcestershire Development Plan - South Worcestershire Development Plan \(swdevelopmentplan.org\)](https://www.southworcestershire.gov.uk/swdevelopmentplan)

¹ Reviews at least every five years are a legal requirement for all local plans (Regulation 10A of the Town and Country Planning (Local Plan)(England) Regulations 2012).

1.6 Hard copies are also normally available to view at each of the South Worcestershire Council civic offices. In Worcester, additionally the document can be viewed at The Hive, and Warndon and St John's libraries during their normal opening hours.

1.7 If you have any questions about the LDS or how to access it, please contact the relevant council's Planning Policy Teams at the following:

Malvern Hills District Council and Wychavon District Council

Email: policy.plans@wychavon.gov.uk

Tel: 01386 565565

Worcester City Council

Email: planning@worcester.gov.uk

Tel: 01905 722233 and ask for the Planning Policy team

1.8 The South Worcestershire Development Plan Team can be contacted directly at:

Email: contact@swdevelopmentplan.org

Tel: 01386 565565

2. Progress to date

Progress since publication of the October 2021 Local Development Scheme

South Worcestershire Development Plan (SWDP)

- 2.1 The SWDP was adopted in February 2016. A review of the SWDP commenced in late 2017 to ensure that the South Worcestershire Councils continue to have an up-to-date Local Plan. An 'Issues and Options' consultation was undertaken during November and December 2018.
- 2.2 This was followed by a 'Preferred Options' consultation in November and December 2019. Good progress was made working towards the 'Publication' version of the SWDP Review before being impacted by the Covid-19 Pandemic. However, work has continued preparing the Publication (Regulation 19) SWDP Review and a further Regulation 18 (iii) consultation was undertaken in March / April 2021. This was specifically targeted on the interim Preferred Options Sustainability Appraisal Report responding to issues raised to the document published alongside the Preferred Options in November 2019.

Proposed Changes to the Planning System

- 2.3 The Government published (August 2020) several consultations relating to the planning system. At the forefront was the 'Planning for the Future' White Paper, which set out the Government's proposals for reforming the planning system. Coupled with this, a technical consultation titled 'Changes to the current planning system' proposed several changes to planning policy and regulations.
- 2.4 Further to the consultation on the proposed reforms to the planning system a Planning Bill is being taken through the current sitting of Parliament. Clearly it is difficult to predict the progress of the Bill, however, it is clear the Government remains committed to its target of building 300,000 new homes every year. Therefore, it is likely that some of the proposed changes will be enacted, in particular the new standard methodology for calculating housing requirements. If this happens there may be implications for the review of the SWDP and consequently the timetable.
- 2.5 Therefore, the timetable reflects the South Worcestershire Councils aim to submit the revised SWDP to the Department for Levelling Up, Housing and Communities under the current planning system as this is the system within which the plan has been prepared.
- 2.6 The Government published a revised version of the National Planning Policy Framework (NPPF) on 21st July 2021. The main changes to the NPPF reflected the greater emphasis placed on achieving higher quality design in development and urban design set out in the Planning White Paper. This has been accompanied by the publication of a National Design Guide and National Model Design Code documents.

Minerals and Waste Planning

- 2.7 This is carried out by Worcestershire County Council (WCC). The Worcestershire Waste Core Strategy Development Plan Document was adopted November 2012.
- 2.8 Worcestershire County Council is currently preparing a new Minerals Local Plan for Worcestershire. The document will guide how much and what minerals the county council 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.
- 2.9 In January 2018 the County Council undertook a further 'call for minerals sites'. The fourth stage consultation took place from 17th December 2018 until 15th February 2019. The publication / pre submission consultation on the plan commenced on 19th August 2019 and closed on 30th September 2019.
- 2.10 The Publication Version of the Minerals Local Plan was submitted to the Secretary of State for Housing, Community and Local Government on 17th December 2019 for independent examination. Local Plan Hearings for the Worcestershire Minerals Local Plan were due to take place in May and June 2020. Due to the Covid-19 Pandemic, these hearing sessions were postponed. Subsequently the Worcestershire Minerals Local Plan underwent public hearing sessions between 11th and 13th November 2020 and 18th December 2020 to discuss key matters and issues. Consultation on the Minerals Local Plan Main Modifications commenced on 2nd August 2021; however, this was suspended until late August, in order to address some technical issues with the supporting data prepared for the public consultation.
- 2.11 A separate Minerals and Waste Local Development Scheme has been produced by Worcestershire County Council and is available on its website ([Emerging Minerals Local Plan: Where we are now | Emerging Minerals Local Plan: Where we are now | Worcestershire County Council](#)).
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Neighbourhood Plans

2.12 At the time of reviewing the Local Development Scheme, the following status applied across the south Worcestershire plan area (data correct 31/12/2021):

Council	Neighbourhood Areas Designated	Neighbourhood Plans which have been through Pre-submission consultation	Submitted Neighbourhood Plans	Adopted Neighbourhood Plans
Malvern Hills	24	0	0	8
Worcester City	1	1	0	0
Wychavon	25	2	1	10

Supplementary Planning Documents (SPDs)

2.13 No SPDs have been progressed since the October 2021 LDS was published.

Current Development Plan for South Worcestershire

- 2.14 The South Worcestershire Council's existing Development Plan currently comprises:
- The South Worcestershire Development Plan (SWDP);
 - The Worcestershire Waste Core Strategy Development Plan Document (adopted 2012); and
 - 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

- 2.15 The wider planning policy framework for the South Worcestershire Councils consists of the following Supplementary Planning Documents:
- Affordable Housing – October 2016
 - Planning for Health – September 2017
 - Design Guide - March 2018
 - Revised Developer Contributions – July 2018
 - Water Management and Flooding – July 2018
 - Renewable and Low Carbon Energy – July 2018
 - Houses in Multiple Occupation – October 2014 (Worcester City Council only)

3. Development Plan Documents

- 3.1 The Development Plan Documents to be produced over the next two years are:
- The South Worcestershire Development Plan Review (prepared jointly between Malvern Hills, Worcester City and Wychavon).
 - The South Worcestershire Travellers and Travelling Showpeople Policies and Site Allocations DPD (prepared jointly between Malvern Hills, Worcester City and Wychavon).
- 3.2 The following section sets out the content of, and timetable for, producing the above documents. All references to Regulations in this section refer to The Town and Country Planning (Local Planning) (England) Regulations 2012. [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

3a South Worcestershire Development Plan Review

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

Milestones (Completed Stages are shown in BLUE)	
Evidence Gathering	Commenced in late 2017
Issues and Options (Regulation 18 (i))	November/December 2018
Preferred Options (Regulation 18 (ii))	November/December 2019
Further Preferred Options Consultation (Regulation 18 (iii))	March/April 2021
Publication (Regulation 19)	July/August 2022
Submission (Regulation 22)	November 2022
Independent Examination (Regulation 24)	February to May 2023 ²
Receipt of Inspector's Report (Regulation 25)	August 2023 ³
Adoption (Regulation 26)	October 2023

² Timeframe is dependent upon availability and scheduling at the Planning Inspectorate.

³ A 'Main Modifications' consultation may be required at this stage of the plan-making process subject to the Inspector's examination findings.

3b. South Worcestershire Travellers and Travelling Showpeople Policies and Site Allocations DPD

Overview	
Role and content	The South Worcestershire Travellers and Travelling Showpeople Policies and Site Allocations DPD will set out the updated requirement for the number of sites and pitches to be provided to meet the needs of 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. The DPD also includes a policy on the design and layout of sites and yards to assist in determining planning applications.
Status	Development Plan Document
Geographical coverage	The plan covers the administrative areas of Malvern Hills, Worcester City, and Wychavon.
Jointly produced	YES. The South Worcestershire Travellers and Travelling Showpeople Policies and Site Allocations DPD is being jointly produced by Malvern Hills, Worcester City Council, and Wychavon collectively known as the South Worcestershire Councils.
Chain of conformity	NPPF, Planning policy and guidance for traveller sites, case law and planning legislation, adopted SWDP (2016), and SWDPR.

Timetable (Completed Stages are shown in BLUE)	
Commencement	September 2014
Preferred Options (Regulation 18)	May/June 2016 February/March 2018 May/June 2021
Publication (Regulation 19)	July/August 2022
Submission (Regulation 22)	December 2022
Independent Examination (Regulation 24)	March 2023 ⁴
Receipt of Inspector's Report (Regulation 25)	May 2023 ⁵
Adoption (Regulation 26)	July 2023

4 Other important policy documents

⁴ Timeframe is dependent upon availability and scheduling at the Planning Inspectorate.

⁵ A 'Main Modifications' consultation may be required at this stage of the plan-making process subject to the Inspector's examination findings.

- 4.1 These documents are not part of the Development Plan, but it is important to set out the likely content and timetable so that interested parties are made aware at the earliest opportunity of forthcoming consultations. These documents are:
- Community Infrastructure Levy (CIL)
 - Statement of Community Involvement (SCI)
- 4.2 The Community Infrastructure Levy (CIL) was adopted in May 2017 and CIL charging commenced in Malvern Hills and Wychavon on 5th June 2017 and in Worcester City on 4th September 2017. The councils will undertake a full review of its CIL Charging Schedule in 2022, with the timetable to be confirmed. National changes to CIL regulations and any transitional arrangements will need to be routinely monitored and taken into consideration.
- 4.3 The Neighbourhood Planning Act 2017 introduced new requirements for the SCI and as such it is now a requirement to review the SCI every 5 years. The Statement of Community Involvement (SCI) was adopted in 2018 and the next review of the SCI is therefore due to take place in 2023.
- 4.4 Updates to the 'Plan Making' section of the National Planning Policy Guidance (NPPG) in May and July 2020 recommend that Local Authorities consider reviewing their SCI with respect to the Covid-19 pandemic and resulting restrictions to ensure that plan-making continued. This was undertaken and the SCI was readopted in the autumn of 2020. Now that the Covid-19 restrictions have been lifted the SCI will revert to the latest adopted version, i.e., dated 2018.
- 4.5 There are no longer any regulations governing the production stages of the SCI, but the requirement to prepare one is set out in Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended) [Planning and Compulsory Purchase Act 2004 \(legislation.gov.uk\)](#)

4a. Community Infrastructure Levy (CIL)

Overview	
Role and content	The Community Infrastructure Levy (CIL) sets out a charging schedule of tariffs to be applied to qualifying development across South Worcestershire although adopted separately by each council. This will allow funding to be secured for infrastructure that is needed because of development in the area. The tariff is applied per m ² of net additional residential floorspace. The rate of the tariff has been determined by examining the ability of development to bear the charge without unduly affecting a development's viability.
Status	Non-Development Plan Document
Geographical coverage	The Community Infrastructure Levy covers the administrative areas of Malvern Hills, Worcester City and Wychavon.
Jointly produced	YES. The Charging Schedule and supporting evidence were prepared on a joint basis and each of the three councils has individually adopted CIL. In Malvern Hills and Wychavon charging commenced on 5 th June 2017 and in Worcester City CIL charging commenced on 4 th September 2017.
Chain of conformity	South Worcestershire Development Plan, Community Infrastructure Levy Regulations (2019), the National Planning Policy Framework, the National Planning Practice Guidance, Part 11 of the 2008 Planning Act and Part 6 of the Localism Act.

Timetable (Completed Stages are shown in BLUE)	
Commencement	May 2012
Consultation on Preliminary Draft Charging Schedule (PDCS) (Regulation 15)	PDCS – prior to housing numbers uplift: September – October 2013 PDCS – Revised to take account of housing numbers uplift: January –
Publication of Draft Charging Schedule (Regulation 16)	April 2016
Submission (Regulation 19)	July 2016
Independent Examination	August 2016 Hearing sessions – November 2016
Receipt of Examiner's Report (Regulation 23)	January 2017
Adoption (Regulation 25)	May 2017
Levy takes effect (Regulation 28)	5th June and 4th September 2017

Note: The Council will undertake a full review of its CIL Charging Schedule in 2022, timetable to be confirmed.

4b. Statement of Community Involvement

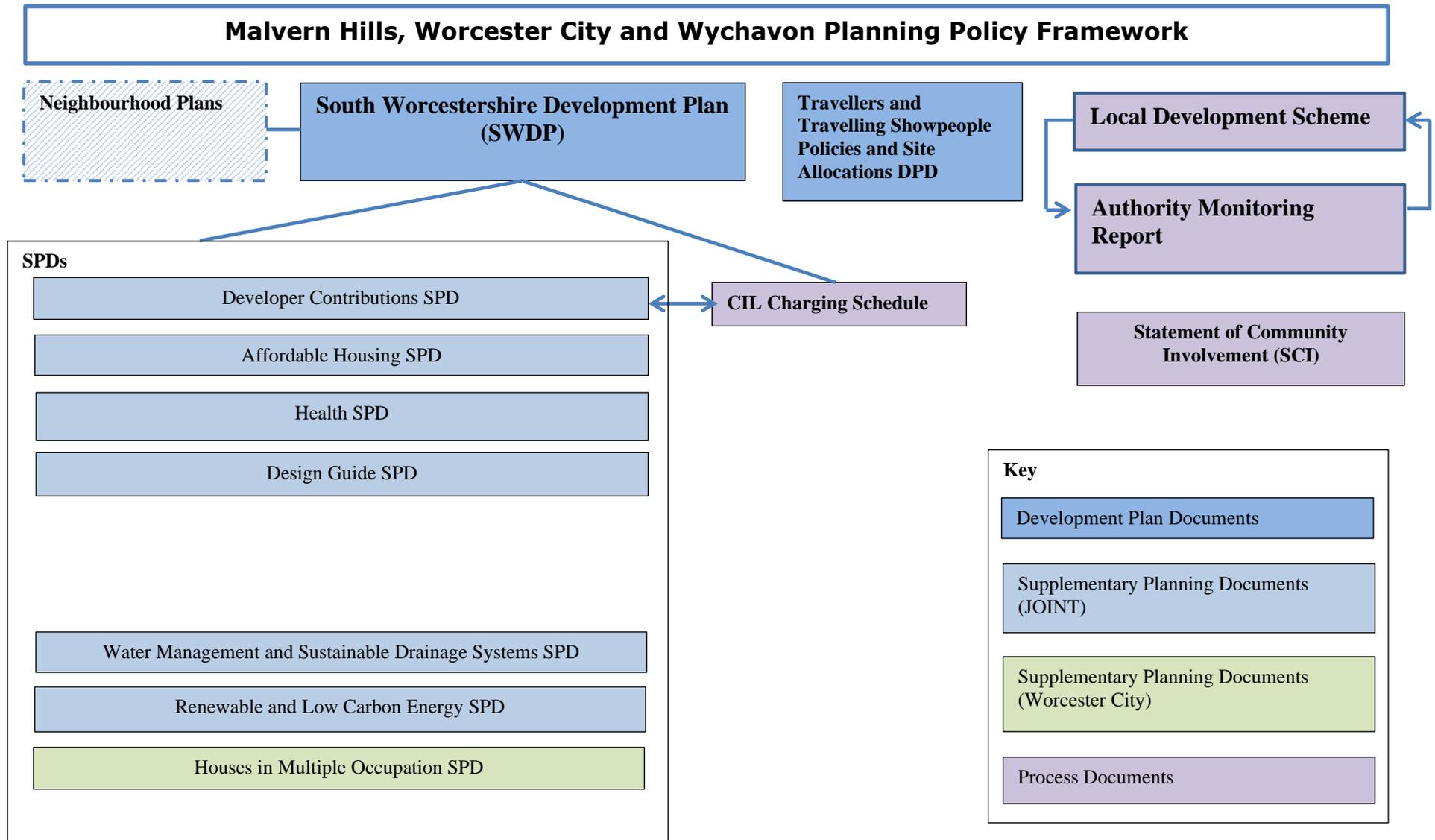
Overview	
Role and content	The current Statement of Community Involvement (SCI) covering south Worcestershire was adopted in 2018. It sets out how the councils will consult on planning matters including the preparation of planning policy and the determination of planning applications. The Neighbourhood Planning Act 2019 included provisions relating to SCIs and as such it is now appropriate to incorporate these within the document to meet the new requirements. Parts of the SCI were also updated on a temporary basis whilst social distancing measures relating to Covid-19 remained in effect. The SCI will be readopted to revert to the 2018 adopted version in due course.
Status	Non-Development Plan Document – Local Development Document
Geographical coverage	The SCI covers administrative areas of Malvern Hills, Worcester City and Wychavon.
Jointly produced	The SCI although produced in collaboration has been adopted separately by Malvern Hills, Worcester City and Wychavon as it also covers DM procedures that may differ between each council.
Chain of conformity	Planning and Compulsory Purchase Act 2004 (as amended), Neighbourhood Planning Act 2017 National Planning Policy Framework and case law.

Timetable for Review (Completed Stages are shown in BLUE)	
Commencement	August 2020
Consultation	Not Applicable (temporary changes)
Adoption (on a temporary basis)	September 2020
Readopted 2018 SCI	September 2021
Review 2023	September 2023

5. Supplementary Planning Documents

- 5.1 Several Supplementary Planning Documents (SPD) have been prepared to provide further guidance on the policies within SWDP. These documents are not part of the Development Plan. It is no longer a requirement to detail SPDs and their timetables for preparation within an LDS. However, the list of SPDs in the wider planning policy framework for the South Worcestershire Councils can be viewed on the diagrams below and in section 2.15 of this report.

South Worcestershire 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 proven to be a more efficient and effective way of working. The work will be undertaken using existing resources and within existing governance structures in each of the councils.

7. Risk Assessment

7.1 The South Worcestershire Councils acknowledge that there are risks in delivering the documents set out in the LDS. Some of these risks are within the council's control and some are not. Table 1 identifies the main areas of risk, their impact, and the ways to overcome them so that the programme in the LDS can be delivered.

Table 1: Risk Assessment

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

Area of risk	Likelihood/Impact and Consequence	Mitigation
	provision of technical advice and support to town and parish councils <ul style="list-style-type: none"> • Insufficient funding to resource LPA support • Diversion of staff resources from preparation of DPDs and SPDs 	<ul style="list-style-type: none"> • Assess the extent to which neighbourhood plans deliver 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 policy • Use of latest guidance • Monitor future trends, use of Foresight intelligence
Time required for consideration, consultation and decision making	<ul style="list-style-type: none"> • Insufficient time to meet standard lead in times to decision making • Significant level of responses to consultation • Additional scrutiny stage(s) • Programme slippage 	<ul style="list-style-type: none"> • Coordination of council meeting dates • Project management • Awareness of council diaries and constitutions and protocols for decision making • Awareness of events such as elections and holidays • Use of delegated decisions route • Efficient/effective handling of responses
Capacity of the Planning Inspectorate and outcomes of its 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
Unforeseen Circumstances (i.e., Covid-19 Pandemic)	<ul style="list-style-type: none"> • Unable to continue with key areas of evidence base development. • Inability to work face to face and attend meetings. • Inability to meet project timetable (programme slippage). 	<ul style="list-style-type: none"> • Utilise video conferencing for meetings. • Produce evidence in house (where possible). • Update/review project timetable.

8. Monitoring and Review

Monitoring

- 8.1 There is a requirement to monitor the implementation of the LDS² and hence progress made in producing Local Plans and SPDs through an Authority Monitoring Report (AMR). AMRs must be produced at least annually and must cover a period of no more than 12 months. AMRs must cover a continuous period, with no gap in coverage between reports.
- 8.2 In relation to each document included within the LDS, 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 each year and will be made available on each of the councils' websites as soon as it has been finalised. The AMR will be reported by the Local Planning Authority to the Joint Advisory Panel (or equivalent). As well as progress in plan-making, this will be the opportunity to report on the monitoring indicators in adopted Local Plans to assess policy performance.
- 8.4 Under the CIL Regulations 2019 the Council is required to prepare an Infrastructure Funding Statement (IFS) setting out the collection of s106, CIL and other contributions and how these have been spent. The IFS also is required to identify and to priorities infrastructure projects for CIL spending and payments committed. This must be published annually by the 31st December.

Review of the LDS

- 8.5 In response to the yearly monitoring against the LDS, the South Worcestershire Councils will work together to review the content of their LDSs each year to provide real time information of the work programme over a rolling three-year period. Anticipated delays or actual slippage against the published timetable will be addressed, with realistic revisions to key milestones proposed.
- 8.6 The South Worcestershire Councils anticipates that the next full update of the LDS will be in 2024 on adoption of the SWDP but accept that it is good practice to review the LDS on an annual basis. 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.

² 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.

