

Llywodraeth Cymru
Welsh Government

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Development Plan Prospectus

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Overview: The Proposed Development Plan Framework

The Welsh Government remains committed to a plan-led approach to development. This is necessary to ensure that development is sustainable and that planning decisions are made on a rational, consistent and fair basis. The Planning (Wales) Bill (Part 2) proposes an evolution of the current development plan system, seeking to make improvements based on experience gained since The Planning and Compulsory Purchase Act 2004. A reinvigorated pan-Wales planning framework, comprising of Planning Policy Wales (PPW) and the National Development Framework (NDF) for Wales will be produced. Strategic Development Plans (SDPs) will provide a coherent approach to the consideration and reconciliation of strategic cross boundary issues. This will provide a more coherent, effective and efficient approach to dealing with cross boundary issues.

To complement this approach, LDPs in their current form will no longer be required within areas covered by an SDP, rather an LDP 'light', primarily dealing with site allocations and development management policies will be prepared. SDPs will not be necessary across the whole of Wales, only in those locations subject to strong cross boundary issues. In all other areas LDPs will remain in their current form. This does not mean that places 'miss out' if they are not covered by an SDP. To complement the approach and empower local communities, local planning authorities will work with town and community councils to prepare Place Plans (PPs) using existing Supplementary Planning Guidance (SPG) procedures to add fine grain detail where local communities consider it appropriate.

Alignment with The Well-being of Future Generations (Wales) Bill

The principle that connects the Planning (Wales) Bill, the Well-being of Future Generations (Wales) Bill and the Environment (Wales) Bill is our commitment to sustainable development as the best way to improve the well-being of Wales now and for future generations. The five key connections are:

- Working to a single unifying definition of a sustainable Wales;
- How we tackle larger than just local issues;
- Involving people in the decisions that affect them;
- Tackling climate change; and
- Welsh Language.

The Well-being of Future Generations (Wales) Bill proposes six well-being goals:

- A prosperous Wales;
- A resilient Wales;
- A healthier Wales;
- A more equal Wales;
- A Wales of cohesive communities;
- A Wales of vibrant culture and thriving Welsh Language.

Five governance principles are also proposed:

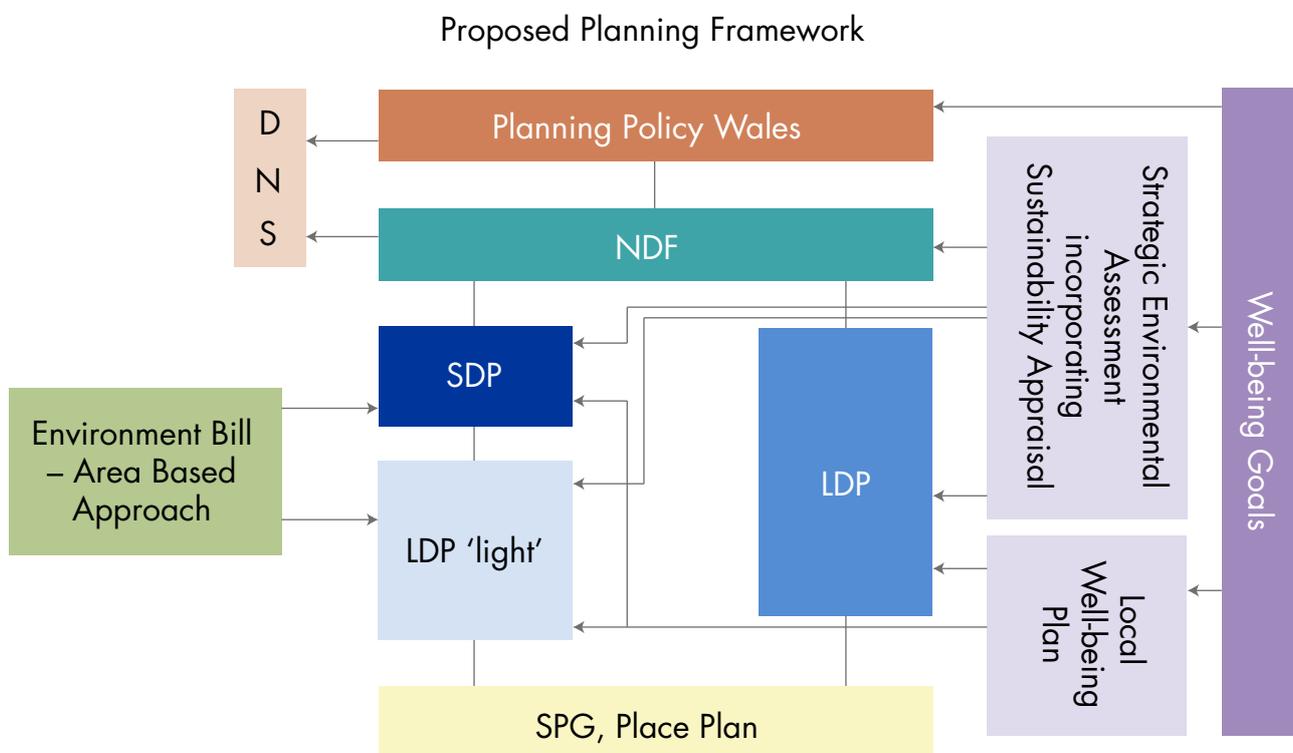
- Long term;
- Integration;
- Collaboration;
- Prevention;
- Involvement.

Sustainable Development has been at the heart of the planning system, its policies and practices, since the introduction of PPW in 2002. The six well-being goals and five governance principles are already delivered when plans are prepared and decisions on planning applications made. The six well-being goals will inform and provide structure to our programme of working going forward to revise PPW.

PPW and the NDF will provide the mechanism to translate the well-being goals into the proposed national planning framework and ensure SDPs and LDPs are shaped by the well-being objectives. Local Well-being Plans will further shape LDPs and help embed the well-being goals across the planning system. The preparation of all development plans (NDF, SDPs and LDPs) will require a Sustainability Appraisal to test policies against sustainability objectives. This will ensure that all planning decisions, including Ministerial decisions on Developments of National Significance (DNS), are taken in the context of sustainable development.

A summary of the proposed development plan system and the linkages to the Well-being of Future Generations (Wales) Bill is set out below in Diagram 1.

Diagram 1



The proposed structure does not introduce additional requirements to plan, rather a redistribution of work, achieving a more effective and efficient mechanism to maximise economic opportunities, investment and community aspirations. These proposals are 'future proofed' and can complement future local authority reorganisation. In parallel to the Bill, a refinement of the LDP process, building on lessons learnt, will align with this approach.

National Development Framework for Wales

Why are we proposing to introduce a National Development Framework (NDF) for Wales?

To provide effective leadership, the Welsh Government will prepare an NDF covering the whole of Wales. The NDF will fulfil the following principal roles:

- To set out the Welsh Government's land use priorities by identifying key locations for change and infrastructure investment over a 20 year period;
- To provide a national land use framework for Strategic and Local Development Plans;
- To coordinate and maximise the potential benefits from both public and private funding and investment;
- To provide the development plan context for the Welsh Ministers to make decisions on Developments of National Significance (DNS).

What area will be covered by the NDF?

The National Development Framework will be a national development plan covering the whole of Wales.

Who will be responsible for preparing and delivering the NDF?

The Welsh Government will be responsible for preparing the NDF and keeping it up to date. It will be delivered through the actions and direct investment of the Welsh Government; investment from the private and public sectors; through strategic development plans and local planning authorities.

How will communities and businesses be engaged?

Public engagement will include a 12 week statutory consultation period, combining with other more focused mechanisms to capture evidence and views. The Welsh Ministers will be required to publish a statement of public participation for the NDF setting out:

- The form of the consultation;
- When consultation will take place;
- The steps that will be taken to involve the public.

In addition, there will also be extensive engagement through the parallel SA/SEA process, which will incorporate a Welsh Language Impact Assessment and will underpin the development of the NDF.

What issues and topics could the NDF cover?

- Housing – Key areas of change
- Economic Development – Sector growth and implications for places
- Energy – Renewable energy opportunities
- Natural Resources – Areas of significant natural resources
- Transport – Electrification of rail lines, Cardiff Airport, road schemes and connectivity
- Infrastructure – development of national significance
- Welsh Language

What status will the NDF have?

The NDF will have development plan status. It will provide direction and certainty for the preparation of SDPs (where produced) and LDPs ensuring all plans are in conformity with the national approach.

When will the NDF be prepared?

The preparation of the NDF will take place over a period of approximately 3 to 4 years from when the Planning (Wales) Bill is enacted. The NDF will be kept under review and every five years from publication the Welsh Ministers must either undertake a revision, or publish an explanation of why they have decided not to revise it.

How will the NDF link with The Well-being of Future Generations (Wales) Bill?

The NDF will be structured around the six well-being goals identified in The Well-being of Future Generations (Wales) Bill, ensuring that the principles of sustainable development continue to be at the heart of the planning system.

Strategic Development Plans (SDPs)

Why are we proposing to introduce SDPs?

There is an identified need to improve how the planning system addresses issues that cross local authority boundaries, to reflect how people live their lives today and in the future.

Strategic development plans will provide a consistent, cost effective and efficient approach, with key decisions taken once at the strategic level. This will allow larger than local issues such as housing numbers, strategic housing allocations, strategic employment sites and supporting transport infrastructure which cut across a number of local planning authority areas and often frustrate the LDP process, to be considered and planned for in an integrated and comprehensive way.

What areas will be covered by an SDP?

SDPs will only be required in areas where there are matters of greater than local significance. The Welsh Ministers will direct a 'responsible authority' to submit a proposal for an area to be designated as a strategic planning area. To allow for future flexibility, primary legislation will not specify where SDPs should be prepared.

Who will be responsible for preparing and delivering a SDP?

In areas where an SDP is required, an independent, Strategic Planning Panel (SPP) will prepare and keep under review the SDP. The SPP will be comprised of two thirds elected members from the LPAs within the area and one third representation from social, economic and environmental partners. The inclusion of social, economic and environmental partners will ensure that those with relevant interests have the opportunity to contribute to the production of the SDP.

The SPP will have decision making powers so that ratification from their parent authorities will not be required. Such powers will be limited to the specific action of preparing an SDP and conformity of other plans to the SDP. An SPP will not make decisions on planning applications.

How will communities and businesses be engaged in the preparation of SDPs?

The SDP process and procedures will mirror that of the current LDP process, so communities and businesses will have the same opportunities to engage in the SDP process as they currently do for an LDP. The SPP will be required to prepare a delivery agreement setting out how and when stakeholders and communities can engage in the plan preparation process.

What issues and topics will the SDP cover?

Issues including housing, employment, transport, infrastructure, minerals and waste which cut across a number of local planning authorities will be addressed in the SDP to ensure they are planned for in an integrated and consistent way. These are issues which have regularly frustrated the LDP process and local authorities have found difficult to address at the local level. Housing provision for LDPs will be set at this level, including the identification of strategic allocations for uses over certain thresholds, dependent on the issue and location.

What status will SDPs have?

The SDP will have development plan status and together with the NDF and LDP will form the development plan for any area. SDPs will be required to be in general conformity with the NDF and the LDP 'light' will have to be in general conformity with the relevant SDP. The SDP will provide a framework for the preparation of local authority's LDP 'light', by providing a strategic vision, strategic allocations and part of the evidence base.

When will SDPs be prepared?

The timescale for establishing the SDP areas and Panel by regulations is likely to take approximately 2 years. Once regulations are made, the preparation of the SDP can commence. In line with the LDP process, the SDP process should be capable of completion in 4 years. It is anticipated that the earliest SDP could be adopted in 2021.

Local Development Plan Light (LDPL)

Why are we proposing a Local Development Plan 'light' (LDPL)?

Where SDPs are prepared, the LDP will be streamlined so that it focusses on local matters, particularly site specific allocations in accordance with the scale and location of growth set out in the SDP, and development management policies. It may be possible to present this information as a single map or plan with limited supporting information. This should result in a much slimmer LDP in scope and content and therefore be quicker and cheaper to produce.

What areas will be covered by a LDPL?

An LDPL will only be required in areas covered by the SDP. In areas where an SDP is not required, the current LDP format will remain.

Who will be responsible for preparing and delivering an LDPL?

The duty to prepare an LDPL will remain with the local planning authority.

How will communities and businesses be engaged in the preparation of an LDPL?

The LDPL process and procedures will mirror that of the current LDP system, so communities and businesses will have the same opportunities to engage in the process. The local authority will be required to prepare a delivery agreement setting out how and when stakeholders and communities can engage in the plan preparation process. The reduced level of information will make it easier for communities to engage in what is most important to them – the scale and location of future development.

What issues and topics will the LDPL cover?

Due to the elevation of strategic issues such as housing provision, employment provision, transport, minerals and waste, the content of the LDPL will be significantly reduced. The LDPL will focus on local matters, particularly site specific allocations in accordance with the scale and location of growth set out in the SDP and development management policies.

What status will the LDPL have?

The LDPL will have development plan status. The LDPL will have to be in general conformity with the relevant SDP.

When will a LDPL be prepared?

The LDPL should be prepared alongside the SDP. Due to the elevation of strategic issues to the SDP, the LDPL will be slimmer in scope and content and therefore quicker to produce. The first LDPL could be adopted by 2021.

The current Local Development Plan (LDP) process

Why are we proposing to retain the current LDP system?

With 15 adopted LDPs in Wales and several more in the pipeline, the LDP system is essential to ensuring sustainable development for current and future generations.

What areas will be covered by an LDP?

There will be areas of Wales where there are no cross boundary strategic issues that need to be addressed other than through the LDP. The current LDP system will remain in areas where an SDP is not required.

Who will be responsible for preparing and delivering a LDP?

The duty to prepare an LDP will remain with the local planning authority.

How will communities and businesses be engaged in the preparation of an LDP?

The LDP process and procedures for engaging communities and businesses will remain. The local authority will be required to prepare a delivery agreement setting out how and when stakeholders and communities can engage in the plan preparation process.

What issues and topics will the LDP cover?

The LDP will be a comprehensive plan covering all the relevant issues and topics at a local level, site allocations and development management policies.

What status will the LDP have?

The LDP will have development plan status. The LDP will have to be in general conformity with the NDF.

When will a LDP be prepared?

The current LDP process should be capable of completion in 4 years. It is anticipated that there will be full LDP coverage in Wales by 2018.

Are there any proposals to change the LDP process?

LDP preparation has been taking too long with delays arising from resolving cross boundary issues. The LDP preparation process, is being refined to be more efficient and effective to facilitate the preparation and maintenance of up-to-date plans. For example, removing the alternative sites stage and the provision of a short review option will reduce the time and cost of reviewing their plans.

Alongside the refinement process the Bill includes 3 provisions to improve the LDP process. These are:

- A requirement for LPAs to notify the Welsh Ministers of any resolution to withdraw an LDP. The notification period will allow the Welsh Ministers the opportunity to use their intervention powers to progress an LDP if it is deemed appropriate and it is supported by robust evidence. It will support a plan-led approach and ensure public money is not wasted.

- A requirement for LDPs to specify an end date, beyond which they are no longer the development plan for the area. This will support a plan-led approach, ensuring LDPs are kept up to date and responsive to local issues.
- Provision for the Welsh Ministers to direct two or more local planning authorities to produce a joint LDP. This will ensure that issues of larger than local scale are properly addressed, particularly important in those areas of Wales not subject to an SDP. Resilience can also be realised through sharing of skills and resources and commissioning joint technical studies.

Place Plans (PPs)

Why are we proposing to introduce 'Place Plans'?

Place Plans are proposed as Supplementary Planning Guidance (SPG) that must be consistent with the LDP. They will not have development plan status, instead 'status' will be achieved by the link to the LDP.

Place Plans will encourage greater community engagement in local planning decision making by allowing communities to shape their localities. Place Plans will set out the more detailed thematic or site specific guidance to supplement the policies and proposals presented in an LDP. Town and Community Councils will be able to work pro-actively with LPAs so that resources are used more effectively.

Who will be responsible for preparing and delivering Place Plans?

Town and Community Councils will engage with local communities, business and the LPA to deliver Place Plans. We wish to identify pilot projects to demonstrate practical approaches.

How will communities and businesses be engaged in the preparation of Place Plans?

Place Plans should be prepared with consultation with the communities, businesses, and other interested consultees. All views will be taken into account and any changes made as a result, documented before the plan is finalised. It should then be approved by LPA Council resolution and formally adopted by the LPA (following adoption of the LDP).

What issues and topics will Place Plans cover?

Place Plans could specify the finer details of planning proposals to ensure that they reflect local distinctiveness. This could take the form of a development brief, a more design orientated master plan or provide the location for small scale development where this was not already addressed by the LDP.

They could also provide a steer to distribute funding raised from a Community Infrastructure Levy, potentially accessing 15% of funds to support local 'infrastructure'.

Will Place Plans have development plan status?

Place Plans will be Supplementary Planning Guidance (SPG) to the adopted Local Development Plan and must be in conformity with it. A Place Plan where produced in the way described above will be a material consideration when deciding planning applications.

When will they be prepared?

Place plans may be prepared in parallel or after adoption of the LDP. They can only achieve SPG status once the LDP is adopted. The LDP delivery agreement should provide an indication of when Place Plans will be prepared.

Annex A

Delivery Programme							
	2015	2016	2017	2018	2019	2020	2021
PPW	Initial PPW review to reflect WBFG goals**	Full PPW review to align with WBFG goals**					
NDF	Commence preparation		Public Consultation		Scrutiny National Assembly Publication NDF**		
SDP	WG directs responsible authority to designate SDP area	WG agrees SDP area	SDP area & panel established Guidance on form and content SDP published Commencement 4 year plan preparation period				Adoption SDP**
LDP	18 out of 24 LDPs adopted*	23 out of 24 LDPs adopted*		Full LDP coverage*			
LDP Light			Preparation of LDP light commences in parallel with SDP				Adoption LDP Light**
Place Plan	Commence parallel/post LDP						

** Ensuring General Conformity – When national guidance is updated or a higher level development plan is adopted – the lower tier plan must be reviewed to ensure it is in ‘general conformity’. The most recently adopted development plan would take precedence.

* Forecast.

Annex B

List of Abbreviations

CIL – Community Infrastructure Levy

DNS – Development of National Significance

LDP – Local Development Plan

LDPL – Local Development Plan Light

LPAs – Local Planning Authorities

NDF – National Development Framework

PCPA 2004 – Planning & Compulsory Purchase Act, 2004

PP – Place Plans

PPW – Planning Policy Wales

SA/SEA – Sustainability Appraisal/Strategic Environmental Assessment

SDP – Strategic Development Plan

SINC – Sites of Importance for Nature Conservation

SLA – Special Landscape Areas

SPG – Supplementary Planning Guidance

SSAs – Strategic Search Areas (identified in TAN 8)

TAN – Technical Advice Note

WBG Bill – Well-being of Future Generations (Wales) Bill

WIIP – Wales Infrastructure Investment Plan