

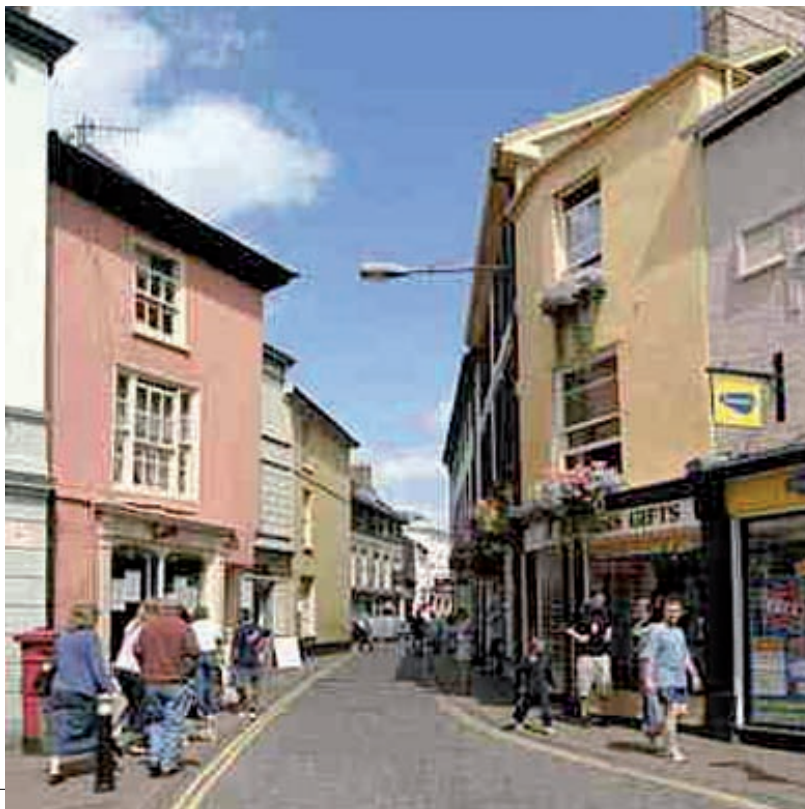
LDP

WALES



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

PLANNING YOUR COMMUNITY: A guide to Local Development Plans (LDPs)



*Planning: delivering for
Wales Programme*

July 2006

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(this also illustrates the plan preparation cycle)

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Introduction

Have you ever been delighted or dismayed about a development in your area? Or have you said to yourself “I would have never allowed that development there!” Well this is your opportunity to get involved in the planning system in your area, by participating in the preparation of the Local Development Plan.

As Wales has a plan-led system, it means that the Local Development Plan will be very important when making planning decisions. It sets out the Local Planning Authority's¹ proposals and policies for future development and use of land in its area. Once the plan has been adopted, decisions on planning permissions will be mostly based on the Local Development Plan. The Local Development Plan will therefore provide a measure of certainty about what kind of development will and will not be permitted during the plan period.

The Community Strategy/National Park's Management Plan² will provide the plan with a direction in the first instance.

You and your community are vital in the plan preparation as you hold local knowledge.

(Key information on participation is highlighted, as below)

You need to get involved early in the local development plan process so that your ideas can be considered and tested.

¹ Local planning authority - county/county borough councils and national parks

² Community Strategy - prepared by county/county borough councils; and National Park's Management Plans - prepared by the National Park

Pre-deposit Stage

The Local Development Plan's 'Delivery Agreement'

First of all, the Local Planning Authority drafts a '**Delivery Agreement**'. This will tell you how and when you can contribute to the Local Development Plan preparation process. It has two parts:

- A '**timetable**' for producing the Local Development Plan;

and

- A '**Community Involvement Scheme**' - this explains how developers, the public and interested groups can contribute to plan preparation. This will also explain how responses will be treated and what feedback you will receive.

The '**Delivery Agreement**' must be made available for inspection by the Local Planning Authority at the authority's principal offices and on the website.



Gathering information and setting objectives

The Local Development Plan needs to be a **'sound'** document. This means that it *shows good judgement and can be trusted*. In order to achieve a **'sound'** plan, your Local Planning Authority will gather economic, social and environmental information which provides the factual base for the plan.

The plan must provide for forms of development that are economically, socially and environmentally sustainable and a **'Sustainability Appraisal Report'** will outline how this has been considered.

If you represent an organisation which has a special interest in the area, the Local Planning Authority may invite you to submit information at this stage.

Your local councillor or town/ community council may ask you and your community or local organisation for information about your area.

Landowners or others might want to submit information or recommend sites for future development or change of use.

You may want to suggest an area that needs protecting for its special landscape, open space or conservation value.

You may consider the factual basis to be flawed and you may be able to provide the Local Planning Authority with alternative information.

Pre-Deposit Local Development Plan documents

As a result of gathering information and setting objectives the Local Planning Authority and the stakeholders will be able to explore options for the future and will draw up the '**Pre-Deposit Local Development Plan documents**'. These will outline the authority's '**overall objectives**' for the plan, and the '**preferred strategy**' for growth or change, including preferred options for major development sites.

This is not a full draft of the Local Development Plan.

This is the most important stage for you and your community. This is your opportunity to put forward your views to the Local Planning Authority, and influence the plan they produce.

You do not need to be invited by the Local Planning Authority to participate, but you do need to write your views formally.

There will be a formal **six-week consultation period**. You can view the documents and make written comments to your Local Planning Authority.

Copies of the '**Pre- deposit Local Development Plan Documents**' and the '**Sustainability Appraisal Report**' will be at your Local Planning Authority's offices and on its website. Copies may also be available at other locations. Your planning authority can advise you on this.

A general description of the consultation comments that have affected the preferred strategy for the Local Development Plan will be published.

Deposit plan

The **Deposit Plan** (a full draft of the Local Development Plan) will be based on the information gathered and the community's response to the '**Pre-deposit Local Development Plan Documents**'.

This presents the 'preferred strategy' as agreed or amended, proposals for key areas of change, regeneration or protection and specific sites to be used for particular purposes and other specific policies and proposals. It will be accompanied by a **Consultation Report** outlining how comments at the previous stage have influenced the plan.

Once the Local Development Plan is placed on '**Deposit**' the Local Planning Authority cannot change it. Any changes to the plan are a matter for an '**Independent Inspector**' who will '**Examine**' the plan.

The plan will eventually be tested by the Inspector to make sure that it is '**sound**'. (More information about these tests is available in the *LDP Manual and the Planning Inspectorate's Guide to Examination*.)

The '**Deposited Local Development Plan**' will be advertised in the press and accompanied by a '**Report of the Consultation**' undertaken at the pre-deposit stage and a revised '**Sustainability Appraisal Report**'.

There will be a '**six-week consultation period**', when the public can make comments in support of, or in opposition to, the Deposit Local Development Plan.

Copies of the '**Deposit Local Development Plan**' will be available at your Local Planning Authority's offices and on its website. Copies may also be available at other locations. Your Local Planning Authority can advise you on this.

These comments made are called '**representations**'. A standard form will be available from your Local Planning Authority, which you should use to make your '**representation**'.

If you object to the 'deposit plan' you need to explain why the plan should be changed and if possible provide evidence/ reasons for this. It will be helpful if you say exactly how you think the plan should be changed.

You may suggest alternative sites or boundaries for development to be considered ('**site allocation representation**'). These would need to fit in with the proposed '**deposit local development plan preferred strategy**' and be tested by you using the '**Sustainability Appraisal**'. This is why it is so crucial to come forward with proposals at the earlier '**pre-deposit stage**' of the plan - then the tests are done by the Local Planning Authority.

After the six week consultation period on the 'Deposit Local Development Plan', the Local Planning Authority will publish any alternative sites or boundaries that have been suggested.

A **further six week consultation period** will be allowed for people to comment on the alternative sites and boundaries.

Examination of the plan

Once the consultation periods are over, the Local Planning Authority will consider the '**representations**' and produce a final '**Consultation Report**'. Each of the main issues raised will be summarised in this report. Then the Planning Inspectorate (on behalf of the Welsh Assembly Government) will examine the report, all of the deposit representations, the 'Deposit Local Development Plan' with its background evidence and the 'Sustainability Appraisal Report'.

The '**Examination**' ensures that the Local Development Plan is based on '**sound**' information and thinking, and that the views of those with concerns about the plan have been considered.

The '**Inspector**' will decide what issues will be discussed at the examination and how they will be heard. This process can last several weeks.

At least six weeks before the '**Examination**' begins, the Local Planning Authority must contact everyone who made a '**representation**', to offer them the chance to give their views in writing or if objecting to do so in person at the examination.

If you have made '**representations**' on the 'Deposit Local Development Plan', these will be passed to the 'Inspector' before the 'Examination'.

You may attend and listen to the examination - even if you are not taking part in it or have not made a 'representation'.

The Inspector can invite members of the public to speak, to provide evidence/ further information to ensure that the plan is sound. This

could include supporters of the Local Development Plan, people who did not make representations, and people who have not asked to be heard.

Inspector's report

After the 'Examination', the 'Inspector' will review all the relevant information and consider what changes the Local Planning Authority should make to the Local Development Plan. He or she will then publish the 'Inspector's Report' outlining these changes and explaining the reasons for them. The Inspector's views are **binding**, the local planning authority **must** make any changes recommended.



Adoption

Within eight weeks of receiving the '**Inspector's Report**' your Local Planning Authority must prepare an '**Adoption Statement**', advertise the fact that the Local Development Plan has been adopted and where it can be inspected.

You can request to be notified of the adoption.

Copies of the '**Adopted Local Development Plan**', the '**adoption statement**', the '**Inspector's Report**' and the '**Sustainability Appraisal Report**' will be available at the locations where the plan was deposited and on the authority's website.

You will be able to buy a copy of these documents for a reasonable fee.

From the date of adoption, the High Court allows six weeks for anyone to challenge it on legal grounds.

Monitoring and review

Once the Local Development Plan is '**Adopted**', your Local Planning Authority must send an '**Annual Monitoring Report**' to the Welsh Assembly Government each year. It will consider how successful the Local Development Plan has been in meeting the plan's objectives. This means that your authority will be able to compare the actual effects of the Local Development Plan against what was intended.

There will be a major review of the Local Development Plan **at least every four years**. This may involve rewriting sections of the plan, or replacing it.

Key groups affected by the Local Development Plan may be invited to comment on recent changes in the area.

When the major review takes place, the plan preparation procedure is repeated. You will have the opportunity to contribute to the process once again as it is set out in a new '**Delivery Agreement**'.

Further information

Planning Policy Wales 2002

PPW Companion Guide 2006

Local Development Plans Wales: Policy on Preparation of LDPs 2005

Local Development Plan Manual 2006

A Guide to the examination of Local Development Plans 2006
(Planning Inspectorate)

Wales Spatial Plan 2004

The Planning Division keeps an up-to-date list of plan progress on the Assembly's website: www.wales.gov.uk

Essential Contacts

Welsh Assembly Government

Development Plans Branch (P3)
Planning Division
Cathays Park
Cardiff
CF10 3NQ
(Tel: Switchboard: 029 20825111)

The Planning Inspectorate Wales

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Cathays Park
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CF10 3NQ
(Tel: 029 20823892/1581)
www.planning-inspectorate.gov.uk

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