



Planning Guide - Local Development Plans

Local Planning Authorities (LPAs) are required to produce development plans which should reflect the national planning policy of the Welsh Assembly Government. The system of preparing Unitary Development Plans (UDPs) is being replaced with a new system of Local Development Plans (LDPs).

Development plans provide certainty and consistency for decisions about developments. Local planning applications should be determined in accordance with these plans (see Planning Quick Guide 47: Application Process for more information).

Planning Policy Wales states that according to section 54 of the *Town and Country Planning Act 1990*¹,

“... where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan, unless material considerations indicate otherwise. Conversely, applications which are not in accordance with relevant policies in the plan should not be allowed unless material considerations justify the grant of planning permission.”

Moving from UDPs to LDPs

Under Part 6 of the *Planning and Compulsory Purchase Act 2004*², the development plan system in Wales was reformed whilst retaining some aspects of the former UDP system. LPAs are now required to prepare and maintain up to date Local Development Plans (LDPs).

LDPs should be simpler, more concise documents than the present UDPs and will focus on the LPA's objectives for the use and development of land in their area, and their general policies for implementing them.

As part of the LDP, LPAs must prepare a 'Delivery Agreement' setting out the timetable for the preparation of the plan, as well as information on how the authority will consult the local community and stakeholders by means of a 'Community Involvement Scheme' (CIS). LDPs also need to be informed by a sustainability appraisal and a Strategic Environmental Assessment.

The LDPs will be single documents, which must include the following elements:

- ◆ Introduction
- ◆ Strategy
- ◆ Area-wide policies for all development and for development types
- ◆ Allocations of land and related sites
- ◆ Specific policies and proposals for key areas of change or protection
- ◆ Succinct reasoned justification for policies
- ◆ Proposals map on a geographical base

¹ The *Town and Country Planning Act 1990*,
<http://www.lexisnexis.com/uk/legal/results/docview>

² *Planning and Compulsory Purchase Act 2004*,
<http://www.lexisnexis.com/uk/legal/results/docview>



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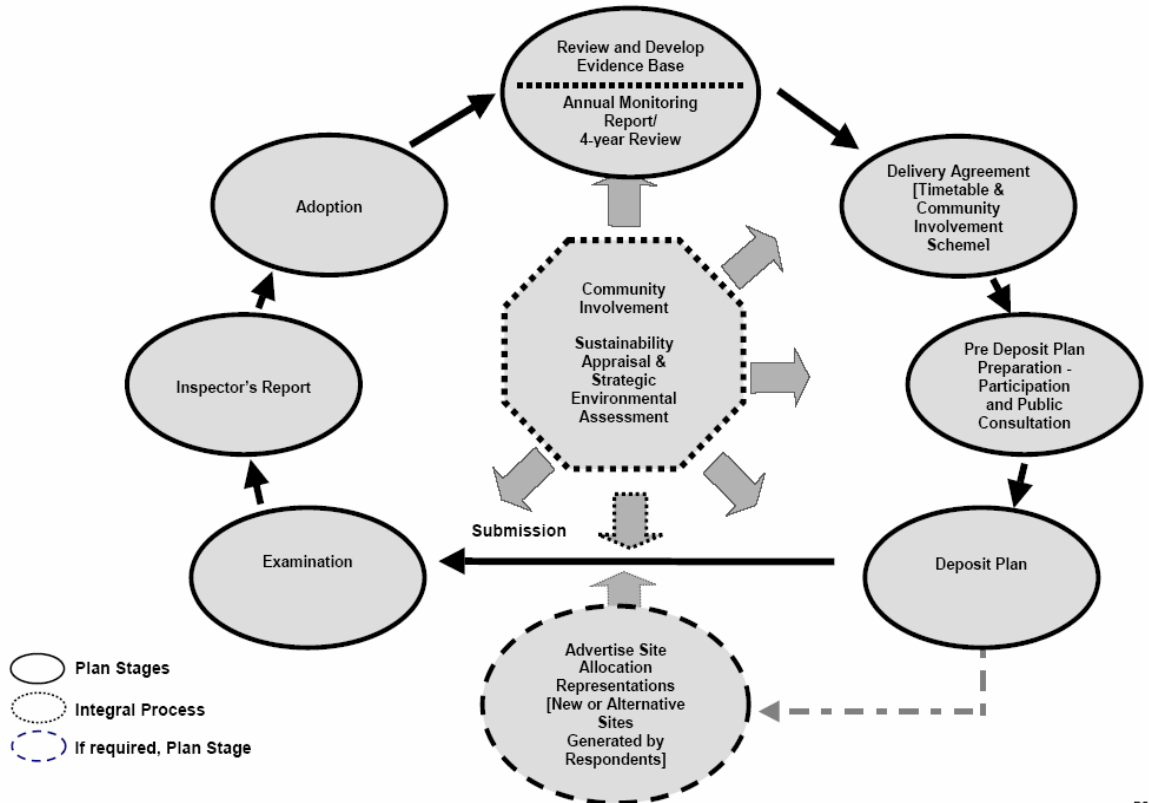
Further information on the compulsory elements of the LDP are included in Statutory Instrument (2005) No. 2839-W203, the *Town and Country Planning (Local Development Plan) (Wales) Regulations 2005, Part 3*. This document can be accessed online at: <http://www.opsi.gov.uk/legislation/wales/wsi2005/20052839e.htm#11>

Preparing the LDPs

The diagram below shows the LDP preparation process, as set out by the Assembly Government in 2005:

Figure 1: Local Development Plan Preparation Process Diagram

Local Development Plans Wales, (Welsh Assembly Government, 2005)



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A report prepared by the Members' Research Service for the Environment, Planning and Countryside Committee in October 2006 noted that there were nine 'pathfinder' authorities that have a duty to prepare an LDP by virtue of an earlier 'Commencement Order'³; one authority (Anglesey) which has had approval by the National Assembly to commence work on their LDP; seven authorities which are still progressing on their UDPs⁴, and eight authorities which had adopted their UDPs and were progressing work on their LDPs (currently without formal approval from the Assembly Government)⁵.

The latest progress report on the preparation of Local Development Plans (January 2007) is available at:

<http://new.wales.gov.uk/about/departments/depc/epcpublications/PlanPubs/Devplans/LDPprepmay06?lang=en>

³ The pathfinder group is comprised of the following nine local authorities; Caerphilly, Cardiff, Conwy, Denbighshire, Merthyr Tydfil, Rhondda Cynon Taf, Snowdonia National Park, Torfaen and Wrexham

⁴ These seven authorities are comprised of: Brecon Beacons National Park, Ceredigion, Flintshire, Gwynedd, Neath Port Talbot, Powys and Swansea.

⁵ The eight local authorities are: Blaenau Gwent, Bridgend, Carmarthenshire, Monmouthshire, Newport, Pembrokeshire, Pembrokeshire National Park and Vale of Glamorgan

Timing

A standard prescribed timetable, applicable to all plans across Wales, is not considered by the Assembly Government to be appropriate as there will be substantial variations both in the nature of planning issues being addressed by authorities and the context in which they are prepared.

However a timetable should be agreed between each LPA and the Assembly Government and LPAs are expected to complete the LDP process in 4 years.

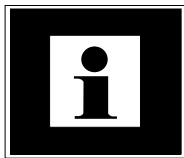
Strategic Environmental Assessment (SEA)

The EU Directive 2001/42/EC *Strategic Environmental Assessment* (SEA) requires that protection of the environment is given the highest priority in the preparation of all development plans. Both existing UDPs and future LDPs must refer to the Directive's requirements.

Monitoring the LDPs

Planning Policy Wales states that development plan policies should be kept up to date by means of regular monitoring and review.

For the LDPs, a public examination will focus on the soundness of the plan and when adopted an Annual Monitoring Report will be prepared for each LDP. Full LDP reviews will take place at frequent intervals (every 4 years) to ensure they are up to date.



Further Information:

Assembly Government guidance on preparing LDPs, '*Local Development Plans Wales*', was published in December 2005 and can be accessed at: <http://new.wales.gov.uk/about/departments/depc/epcpublications/PlanPubs/Devplans/LDPWales?lang=en>

A manual for local planning authorities to assist them in preparing LDPs was published by the Assembly Government in June 2006: <http://new.wales.gov.uk/about/departments/depc/epcpublications/PlanPubs/Devplans/ldpmanual?lang=en>

A leaflet, *LDP Planning your Community* was published by the Assembly Government in July 2006: <http://new.wales.gov.uk/about/departments/depc/epcpublications/PlanPubs/Devplans/Aguidetolocaldevelopmentplans?lang=en>

Planning Inspectorate Wales published a Guide to the Examination of LDPs in October 2006: http://www.planning-inspectorate.gov.uk/cymru/wal/news_notices/whats_new/documents/Soundness_FINAL.pdf



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