



# Local Development Scheme 2018-2021

June 2019

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# 1. Introduction

- 1.1. The Borough Council, as local planning authority, is required to prepare a Local Development Scheme (LDS) under the provisions of the Planning and Compulsory Purchase Act 2004.
- 1.2 The main role of the LDS is to describe the documents that Dacorum Borough Council is preparing, or has already prepared, as part of its Local Plan. It explains the role of the individual documents, how they relate to one another and the timetable for their preparation – highlighting the stages at which public consultation will take place. It also summarises the evidence, resources and risks associated with this review process.
- 1.3 This LDS supersedes the previous version dated July 2018. It will continue to be reviewed on a regular basis, with any necessary adjustments made to the timetable in Chart A through the Council's Authority Monitoring Report (AMR) process.
- 1.4 In terms of managing the Local Plan process, this LDS is supported by a number of other key documents, including the Authority Monitoring Report (AMR) and the Statement of Community Involvement (SCI).
- 1.5 The Authority Monitoring Report (AMR) assesses the implementation of the LDS itself and the extent to which planning policies are being achieved. It also provides a mechanism through which to keep 'saved' policies, schedules and guidance under review and delete any parts the Council no longer considers appropriate or relevant.
- 1.6 The Council's Statement of Community Involvement (SCI) was adopted in July 2016 and has recently been reviewed with the update anticipated to be adopted in July 2019. It sets out arrangements for public consultation in the connection with both the Local Plan and planning applications.

## 2. Overview of the Development Plan System

- 2.1 The Planning and Compulsory Purchase Act 2004 and The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing a development plan for the Borough.
- 2.2 The development plan is essentially a document, or series of documents, containing the planning policies that the local planning authority will take into account when determining planning applications. The Borough Council is responsible for preparing most, but not all, documents that comprise the development plan.

### (a) The current Development Plan

- 2.3 The current development plan for Dacorum Borough Council is made up of the following:

- Dacorum Borough's Local Planning Framework Core Strategy (adopted September 2013);
- Dacorum Site Allocations DPD (adopted July 2017);
- 'Saved' policies from the Dacorum Borough Local Plan 1991-2011 (adopted April 2004), not superseded by the above;
- Grovehill Neighbourhood Plan (May 2018)

and

- Hertfordshire Minerals Local Plan Review 2002-2016 (adopted March 2007);
- Hertfordshire Waste Core Strategy and Development Management Policies (adopted November 2012); and
- Hertfordshire Waste Site Allocations Document (adopted July 2014).

- 2.4 The preparation of Minerals and Waste Plans is the responsibility of Hertfordshire County Council, although the Borough Council is an important consultee. For further detail please refer to the County Council's website:

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/planning-in-hertfordshire/minerals-and-waste-planning/minerals-and-waste-planning.aspx>

- 2.5 All Development Plan Documents (DPDs) are the subject of an independent examination (or inquiry) by an Inspector. As part of the examination an Inspector will examine the "soundness" of the document(s): i.e. whether the proper procedures have been followed; how the document(s) relate to national/strategic planning policy or other relevant strategic advice; whether the document(s) are coherent and stem from a credible evidence base; and whether the policies in the document(s) are effective and deliverable. Whilst the Inspector's report is not formally binding, the Council cannot adopt a DPD unless it has been found 'sound.'

## **Core Strategy**

- 2.6 The Core Strategy<sup>1</sup> sets out the planning framework for the Borough to 2031. Its aim is to deliver sustainable development i.e. new homes, facilities and businesses, whilst maintaining the quality of the environment. It provides a basis for planning for and securing new infrastructure provision, which should be aligned with new development.

## **Site Allocations**

- 2.7 The principal role of the Site Allocations DPD<sup>2</sup> is to set the Council's detailed proposals and requirements for particular sites and areas in order to assist in the delivery of the levels of growth set out in the Core Strategy. It:
- Allocates sites for future development in the Borough;
  - Defines the boundaries of planning designations; and
  - Ensures appropriate infrastructure is identified and delivered alongside new development.
- 2.8 All designations and allocations are illustrated on a Policies Map.

## **Dacorum Borough Local Plan 1991-2011**

- 2.9 All policies of the Dacorum Borough Local Plan 1991-2011 (DBLP), except Policy 27 relating to Gypsies and Travellers, were 'saved' in 2007 under transitional arrangements. Some DBLP policies have now been superseded by the Core Strategy and Site Allocations DPDs. The remainder will be replaced through the new Dacorum Local Plan, or via the preparation of new supplementary planning documents (SPDs). For a full list of existing policies and replacement arrangements see:

<http://www.dacorum.gov.uk/docs/default-source/strategic-planning/policy-advice-note.pdf?sfvrsn=8>

## **Neighbourhood Plans**

- 2.10 The Localism Act 2011 allows for Town and Parish Councils, and established 'Neighbourhood Forums' to prepare Neighbourhood Plans for their areas. Provided these conform with the strategic planning policies<sup>3</sup> for the area and gain a majority vote in a local referendum, these plans will be adopted as part of the Development Plan for Dacorum.

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<sup>1</sup> <http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/local-planning-framework/core-strategy/core-strategy-adopted-sept-2013>

<sup>2</sup> [www.dacorum.gov.uk/siteallocations](http://www.dacorum.gov.uk/siteallocations)

<sup>3</sup> Definition of Strategic Policies available at: <http://www.dacorum.gov.uk/docs/default-source/strategic-planning/policy-advice-note.pdf?sfvrsn=8>

- 2.11 A Neighbourhood Plan for the Grovehill neighbourhood in Hemel Hempstead was supported at a local referendum on 15<sup>th</sup> February 2018, and adopted ('Made') by Dacorum Borough Council on 16<sup>th</sup> May 2018. It now forms part of the area's statutory development plan. It is available at:

<http://www.dacorum.gov.uk/home/regeneration/grovehill-future-project/neighbourhood-planning> or via:

[http://www.dacorum.gov.uk/docs/default-source/regeneration/grovehill-future-neighbourhood-plan---examination-version-\(pdf\).pdf?sfvrsn=0](http://www.dacorum.gov.uk/docs/default-source/regeneration/grovehill-future-neighbourhood-plan---examination-version-(pdf).pdf?sfvrsn=0)

## **(b) The emerging Development Plan**

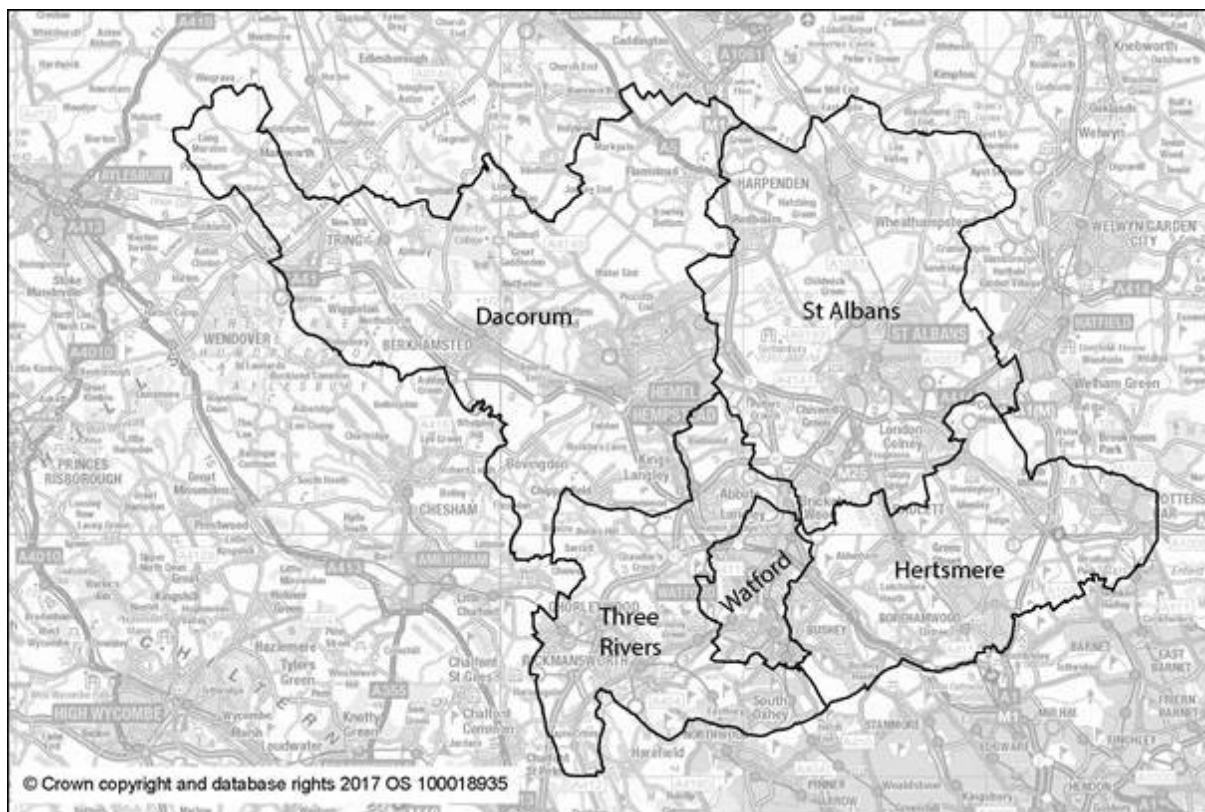
### **New Dacorum Local Plan**

- 2.12 The Council has begun work on its new Local Plan, with an Issues and Options document published for consultation in November/December 2017. Following detailed consideration of the responses to that consultation and the completion of further evidential work to inform preparation of the Local Plan, the Council will move to Pre-Submission Draft Consultation during 2020. When completed, the new Dacorum Local Plan will comprise a single document, containing site allocations and development management policies in addition to strategic policies covering the development of the Borough of Dacorum. Existing policies and designations will be reviewed and updated as appropriate, taking into account new evidence and the outcome of discussions under the duty to co-operate.
- 2.13 It is envisaged that the new Dacorum Local Plan will cover a 16-year timeframe (2020-2036) to reflect the guidance of the National Planning Policy Framework (NPPF). A summary of expected plan content and governance arrangements for the Local Plan is set out in Appendix 1.

### **Joint Strategic Plan**

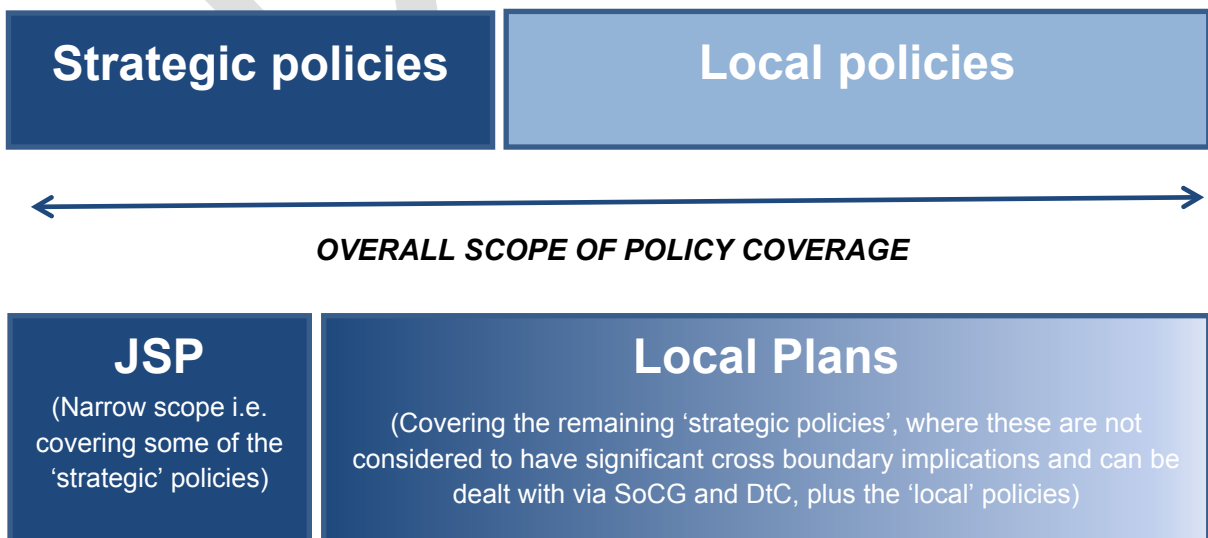
- 2.14 Neighbouring authorities are increasingly being encouraged by Government to work together to provide the homes, jobs and infrastructure where people want to live.
- 2.15 In Spring 2018, Dacorum, Hertsmere, St Albans, Three Rivers, and Watford Councils gave formal endorsement to begin work on a Joint Strategic Plan (JSP) for South West Hertfordshire (see Figure 1 below). Work on the JSP will progress aligned to an agreed Statement of Common Ground (SoCG), which is currently being prepared by the joint authorities.

**Figure 1: Extent of South West Hertfordshire Joint Strategic Plan Area**



2.16 Each council will still be responsible for preparing its own Local Plan, but the JSP will provide the platform to consider how the challenges of growth in the wider South West Hertfordshire area can be addressed longer term (i.e. to 2050). Figure 2 below illustrates how these two key planning documents will fit together. A summary of expected plan content and governance arrangements is set out in Appendix 1.

**Figure 2: Relationship between the JSP and the Local Plan**





2.17 By working together, the South West Herts Councils will also be in a stronger position to deliver, and better fund essential local transport links, health services and educational facilities that local people want to see alongside new homes and jobs.

2.18 Preparation of the Joint Strategic Plan will take place alongside the local plans being undertaken by each respective council and will provide a platform to consider the growth challenges in the wider South West Hertfordshire area can be addressed in the long term.

2.18 Chart A (below) sets out the expected programme for production of the Local Plan.

**Additional Guidance**

2.19 A range of Supplementary Planning Documents (SPD), Supplementary Planning Guidance (SPG) and Advice Notes has been prepared to support policies and proposals within both the existing and emerging Development Plan. A full list is available online at:

[http://www.dacorum.gov.uk/home%5Cplanning-development/planning-strategic-planning/supplementary-planning-documents-\(spds\)](http://www.dacorum.gov.uk/home%5Cplanning-development/planning-strategic-planning/supplementary-planning-documents-(spds))



### 3. Evidence, Resources and Risks

#### (a) Evidence

- 3.1 A range of technical studies have been prepared, or are being prepared to use as an evidence base to support production of the Local Plan, Joint Strategic Plan and Supplementary Planning Documents (SPDs):

<http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/new-single-local-plan/technical-work-for-the-early-partial-review>

- 3.2 Land Position Statements for employment and housing are prepared annually. They, together with other sources of information, are used to prepare the Council's Authority Monitoring Report. The current report is available online at:

<http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/monitoring-reports-and-land-position-statements>

- 3.3 If the timetable within this LDS is revised as part of the AMR process, the revised timetable will supersede that contained in Chart A of this LDS and will provide the most up-to-date work programme.

#### (b) Resources

- 3.4 The Council attaches high priority to the expeditious delivery of both the Dacorum Local Plan and SW Herts Joint Strategic Plan process, and despite financial stringency is maintaining the necessary mainstream funding. Budgets will continue to be reviewed on an annual basis and appropriate provision made. Where necessary some of the Local Plan budget will be used to bring in additional temporary staff resources, or consultancy support. Opportunities for additional funding sources such as grants from the Government's Planning Delivery Fund will also continue to be pursued.

- 3.5 Some 'pump-priming' funding has also been secured from Government to help take forward the Joint Strategic Plan. This will initially fund a Project Director, but further funding will be required in due course from both Government and Council budgets to support the completion of the JSP through to adoption in 2021.

**(c) Risk**

- 3.6 The timetable for the production of the new Dacorum Local Plan has been modified to take account of progress to date, recent changes in the approach to calculating Objectively Assessed Need (OAN) for new homes in line with the Standard Methodology contained in the latest iteration of the National Planning policy Framework published in February 2019. The programmes has also had regard to the emerging indicative programme being established for production of the new South West Herts Joint Strategic Plan. It will continue to be managed to ensure that it remains both realistic and achievable, with the most recent update being made in June 2019. The Authority's Monitoring Report (AMR) will track performance and highlight any amendments required to the work programme set out in this LDS. This will be supported through monthly reporting on milestones via the Council's in-house project management software (Rocket).
- 3.7 There are however a number of sources of risk that could impact upon the delivery of the work programme set out within Chart A. These risks, together with appropriate mitigation measures are set out in Appendix 1.

## 4. Contact information

For further information regarding planning policy matters please contact:

**Email:** [Strategic.Planning@dacorum.gov.uk](mailto:Strategic.Planning@dacorum.gov.uk)

**Phone:** 01442 228660

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## Appendix 1

### Summary of DPD content and governance arrangements

<b>Title</b>		<b>Dacorum Local Plan</b>
<b>Description</b>	Single composite plan incorporating the early partial review of the Core Strategy, together with the Site Allocations and updated development management polices (currently within the 'saved' Dacorum Borough Local Plan 1991-2011).	
<b>Area Covered</b>	Borough wide, with some site specific elements.	
<b>Status</b>	DPD	
<b>Chain of Conformity</b>	In general conformity with the NPPF (and emerging Joint Strategic Plan – see below).	
<b>Priority</b>	High	
<b>Key milestones</b>		
<b>Issues and options consultation</b>	November/December 2017	
<b>Pre-Submission consultation</b>	May 2020	
<b>Submission</b>	November 2020	
<b>Examination (hearings)</b>	April 2021	
<b>Adoption</b>	February 2022	
<b>Arrangements for Production</b>		
<b>Lead</b>	Strategic Planning Team.	
<b>Management arrangements</b>	Corporate Growth and Infrastructure Group, Strategic Planning and Environment Overview and Scrutiny Committee, Cabinet and Council. Corporate Management Team.	
<b>Studies/evidence required</b>	To include update of key technical studies relating to housing, employment, retail, Green Belt, infrastructure, open space, leisure and site assessment matters.	
<b>Resources required</b>	See section 3.	
<b>Stakeholder/community involvement</b>	To comply with adopted Statement of Community Involvement. Strong emphasis on close liaison with adjoining local planning authorities and others regarding strategic planning matters, as required under the duty to co-operate.	
<b>Monitoring and Review Arrangements</b>		
Review of policy performance carried out as part of Authority Monitoring Report (AMR) process.		

## Risk Assessment

**Key****Red** = high impact / likelihood**Amber** = medium impact / likelihood**Green** = low impact / likelihood

	<b>Risk</b>	<b>Comment</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Mitigation Measures</b>
1	Preparation of Local Plan and/or Joint Strategic Plan fails to meet key project milestones.		Amber	Red	Project management and monitoring of progress against the Local Development Scheme. Progress discussed with managers monthly and action taken as necessary. Progress on LDS timetable reported as part of Authority Monitoring Report and any necessary changes made to timetable. Formal review of the LDS to be carried out on a regular basis. Delays to JSP mitigated by establishing sound governance arrangements and appointing a JSP Director to closely project manage the plan preparation process.
2	Changes in national policy and regulations which require a significant alteration to emerging plan content.	There have been a number of recent changes to national planning policy, as set out in the draft National Planning Policy Framework (NPPF), changes to permitted development rights and	Amber	Red	The programme set out within this LDS takes account of the latest iteration of the National Planning Policy Framework ( February 2019). If any further significant changes are introduced mid-way through the plan production process, depending on their implications for the plan this

	Risk	Comment	Likelihood	Impact	Mitigation Measures
		amendments to planning regulations, all of which need to be reflected when preparing the new Local Plan to ensure it can be found 'sound.'			<p>might require amendment to the plan and a further stage of consultation.</p> <p>Advice from the Planning Officers' Society (POS) who are providing support to the process as a critical friend will be taken to help mitigate these risks.</p>
3	Lack of suitably experienced staff	Difficulties recruiting and retaining suitably qualified Planning Officers are currently being experienced across the country.			The Local Plan team is currently fully staffed but it is possible that there may be staff turn over. Should usual mechanisms of direct recruitment to fill vacant posts not prove successful, consideration will be given to the employment of temporary staff and /or consultants to take on specialist areas of work and extend the capacity of the Strategic Planning team. This option could be constrained by wider Council policies on vacancies and recruitment and available financial resources.
4	Delays to decision making process	Delays may be experienced due to democratic process and/or timetabling of meetings, or the inability to agree an appropriate content of the plan which can be found 'sound' by a Planning Inspector in due course. In the case of a Joint Plan, this risk may be increased due to the need for agreement			<p>Agreeing the timetable for the JSP and LP process through continued close working and reflecting in future LDS updates will enable meetings to be appropriately timetabled to allow timely decision making.</p> <p>'Special' meetings of Cabinet and Full Council can be arranged in certain circumstances.</p> <p>Continued member training and understanding of strategic planning issues and sound legal advice</p>



	Risk	Comment	Likelihood	Impact	Mitigation Measures
		across several local planning authorities.			from Counsel to help guide members through the decision-making process.
5	Failure to agree critical cross boundary strategic planning issues with prescribed Duty to Co-operate bodies.				Discussions regarding what comprises the key strategic planning issues for the area have already taken place between the SW Herts authorities. A comprehensive programme of Duty to cooperate meetings has been commenced to discuss issues with individual partners. Risks relating to how these issues will be addressed will be reduced through the production of a Statement of Common Ground and subsequent Joint Strategic Plan with Hertsmere, Three Rivers, St Albans and Watford Councils (with support from the County Council and Hertfordshire LEP). Regular meetings with other DtC bodies will help minimise any wider issues arising, or enable them to be addressed early on in the plan-making process.
6	Pressure on financial resources				Budgetary provision has been made for plan-making work, however the length of public examinations and cost of defending any subsequent legal challenges could add significantly to the amount required. New Homes Bonus and 'Additional Burdens' payments from Government may help to mitigate the anticipated shortfall, although due to financial pressures this money may not all be available to support the Council's planning functions. Further funding may also be sought from Government in future to support continued preparation of the JSP.

	<b>Risk</b>	<b>Comment</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Mitigation Measures</b>
7	Capacity of Planning Inspectorate (PINs) and other statutory consultees	The capacity of the Planning Inspectorate and other statutory consultees to provide detailed planning advice has been reduced due to internal reorganisation and financial constraints. The risk is outside the Council's control.			Public examinations could take longer than anticipated or be delayed against the PINS indicative timetables. This will be mitigated through ensuring appropriate evidence is prepared and submitted and there is close liaison with the Programme Officer. The proposed timetables for the Dacorum Local Plan and the JSP have been aligned to run 'one after the other' which opens the possibility of securing a Planning Inspector whom may be able to examine both plans in due course.
8	Failure of external parties to meet project deadlines	There is sometimes a need, either as a result of insufficient internal officer capacity, or the need to bring in specialist skills, for some work relating to the Local Plan to be carried out by external consultancies or organisations (such as Herts CC).			Work quality and project work timetables will be controlled through normal procurement processes and contract conditions.
9	Local Plan found 'unsound'	Local Plans must be underpinned by detailed evidence. This evidence will face detailed scrutiny from the Planning Inspector and other stakeholders during the independent examination process.			Risk is reduced by ensuring that the Council's decision-making regarding the content of its Local Plan and the JSP are firmly based on the technical evidence which emerges.  Appropriate joint working arrangements with adjoining local planning authorities in line with the 'duty to co-operate' will continue to be essential.

	Risk	Comment	Likelihood	Impact	Mitigation Measures
					<p>The soundness of the Local Plan and JSP will also continue to be guided by close liaison with the adjoining local planning authorities, statutory bodies, PINS, the availability of a robust evidence base and well-audited stakeholder and community engagement systems.</p> <p>Specialist external legal advice will be taken as and when necessary to help guide key decision-making.</p>
10	Legal challenge	This would result in financial costs, and if successful, could result in all or part of the plan being quashed.			<p>The likelihood of a successful legal challenge is substantially reduced where the Local Plan is prepared in accordance with relevant regulations, is strongly aligned to the conclusions of the evidence that underpins it and the plan-making authority can demonstrate it has met the necessary 'tests of soundness.'</p> <p>Specialist external legal advice will be taken at key stages and if any threats of challenge are made through the plan-making process.</p>