

14 IMPLEMENTATION AND MONITORING

14.1 Introduction

14.1.1 Appropriate future development in Herefordshire can only be enabled and regulated properly if the policies and proposals contained in the UDP are put into action. The principal mechanisms for implementing policies and proposals are outlined in this chapter. As the UDP is progressively implemented over the Plan period, it is also essential that the effectiveness of its aims, objectives, policies and targets is monitored and evaluated in line with Government guidance.

14.1.2 Such monitoring will help to identify any shortcomings in policies, or any changing circumstances surrounding the UDP, that may eventually necessitate reviews and alterations to policies. This chapter outlines both general implementation and monitoring principles that will be applied across the whole range of land uses covered by the UDP, and also the more specific approaches that will be applied to the individual topics dealt with in Part II of the UDP.

14.2 General implementation principles

14.2.1 Various agencies, including Herefordshire Council, will be involved in putting the UDP into action. The principal means of implementation are through:

- determination of planning applications
- Supplementary Planning Guidance / Documents
- environmental protection powers
- transport powers
- promotion and enabling of appropriate development
- development briefs and negotiation with developers
- planning and execution of public sector-led projects
- consultation on development proposals and changes to UDP
- provision of Council services.

Determination of planning applications

14.2.2 The Council is the local planning authority for Herefordshire, responsible for the determination of planning applications. Each year it receives around 3,000 planning applications and, in considering them, seeks to ensure that new development is in accordance with development plan policies. The Herefordshire UDP will be the main determinant of decisions on planning applications, unless material considerations dictate otherwise. This is the so-called 'plan-led' approach and it offers a great degree of certainty to the proposers of development and to local communities and individuals about the type of development that will be allowed at a particular location. Advice provided in Government planning guidance will also be used in company with the UDP. In those cases where development proceeds without planning permission, which is contrary to the UDP, and which harms the local environment, enforcement action can be taken by the Council.

Supplementary planning guidance / documents

14.2.3 Within the scope of the main UDP documents, it is often not possible to address some policy topics in adequate depth to enable a clear interpretation of the broad advice on land use and the scale, layout, design and other factors relating to development. Preparing and publishing Supplementary Planning Guidance (SPG) and now Supplementary Planning Documents (SPD) is one means of providing more detailed explanation and elaboration of policies, and so enabling the achievement of desirable end

results. SPDs may be produced at various times in the life of a development plan and not necessarily simultaneously with the plan. They may be site-specific, deal with detailed design factors, layouts, densities, etc., or address specialist topics such as landscape character, sports and recreation provision, and community facilities. All SPDs will naturally be consistent with the UDP and referenced to the relevant policies, and also subject to public consultation before adoption.

14.2.4 Herefordshire Council has either adopted, or is preparing, the following SPGs / SPDs as a consequence of the previously adopted Local Plans or the policies of this Plan:

- provision of affordable housing
- re-use and adaptation of traditional rural buildings
- biodiversity
- landscape
- design and development requirements
- planning obligations
- Edgar Street Grid Design Statement.

Further SPDs being considered are set out in the Council's Local Development Scheme.

Environmental protection powers

14.2.5 The Council and other regulatory bodies have a range of powers for protecting and enhancing the local environment. Some are planning powers, such as those for listing buildings of architectural and historic value or making Tree Preservation Orders. Others are derived directly from environmental legislation and will be used where relevant by agencies consulted during determination of planning applications. Some environmental policies are embodied in non-land use plans and strategies, both statutory (such as the new generation of AONB Management Plans) and non-statutory (such as local authority strategies for regeneration, tourism, leisure). Where relevant, these may have a bearing on decisions on planning applications. Some categories of major development require environmental assessments – comprehensive technical studies of the range of impacts a development could have on the environment and on the sustainability of communities and economies.

Transport powers

14.2.6 Some developments are concerned wholly or partially with the provision of transport infrastructure and transport management measures. While involving planning powers, they also make use of transport powers. Unitary authorities such as Herefordshire are charged with producing Local Transport Plans (LTPs) providing 5-year frameworks and annual spending plans. The UDP and LTP are co-ordinated, but the longer horizon of the UDP means that it will be making long-term land use proposals that feed back into the LTP process in later years. The LTP is therefore one of the mechanisms for ensuring that implementation of key proposals in the UDP is programmed in the right time, sequence and place.

Promotion and enabling of appropriate development

14.2.7 Whilst many of the policies in the UDP are regulatory - ensuring that new development conforms to sets of criteria - other policies serve to enable appropriate development to occur in the right place, at the right time, in the right sequence and to the best quality standards. This will be achieved through a range of measures including:

- development briefs for individual sites or complexes of sites
- liaison with developers and planning applicants
- project planning and development

- community consultation.

Development briefs and negotiation with developers and applicants.

14.2.8 To facilitate achievement of UDP objectives, the Council will work with developers and applicants to improve the quality of development proposals and minimise any adverse environmental impacts. A key tool will be the development brief, which will set out in greater detail than the UDP the requirements for individual sites or significant areas of development/redevelopment. Briefs will be produced for all the main site proposals in the UDP. In some locations, land management plans may be prepared, setting out detailed land use, development and management proposals, e.g. for industrial estates, transport infrastructure projects, open space networks, visitor honeypots, etc.

14.2.9 Community benefits related to development proposals may be sought from developers through negotiation, planning conditions, and Section 106 planning agreements. Such provisions might include sustainable transport measures (works/services), open space, drainage infrastructure, for example.

Planning and development of public sector-led projects

14.2.10 Many development projects will be initiated and executed, in partnership or independently, by the Council and/or other public sector agencies. These could include educational establishments, social services premises, hospitals, highway schemes, bus stations, sports halls and informal recreation facilities. Public-private partnerships are becoming increasingly common in project development. Many such projects are identified in general terms in the UDP and will be planned and designed in detail by the Council and/or other public agencies, with appropriate consultation. The Council will be the planning applicant and developer in many such instances.

Provision of Council Services

14.2.11 Various services within Herefordshire Council impact on the environment of the County and can make a contribution to implementing the UDP. These include provision of transportation, educational and community facilities, recreational facilities, waste facilities and pollution monitoring. The Council is also taking a corporate and community-wide approach to regeneration through the Herefordshire Community Strategy, ensuring that all services work towards common policy objectives, including those in the UDP.

Consultation on development proposals and changes to the UDP

14.2.12 Herefordshire Council is committed to consultation and community involvement in providing services. The UDP aims to meet many of the needs of the County's residents and visitors. Consultation on the UDP has been extensive but will not stop once the Plan is adopted. Apart from routine and mandatory consultation on individual planning applications, public comment will be sought on major development schemes and other projects that help to deliver the UDP. Any future changes to the UDP will also be subject to consultation.

14.2.13 To make clear the Council's policy and procedure on consulting on all planning matters, the Council have prepared its Statement of Community Involvement.

14.3 General monitoring principles

14.3.1 While the UDP is intended to provide a firm and clear policy statement to guide development in Herefordshire up to 2011, it will need to be responsive to significant changes in social, economic and environmental conditions. Monitoring systems will need to put in place and operated continuously. They will generally serve the following purposes:

- to check whether, when and how development has occurred

- to measure the effectiveness of policies in achieving aims, objectives and targets
- to identify whether or not policies need reviewing, strengthening or changing to any substantial degree.

14.3.2 Some monitoring measures are already well established from previous periods, notably on land supply for housing and employment. Others are being progressively introduced, for example on environmental indicators such as air quality. In general, all policies in the Plan will be monitored for their effectiveness, and all proposals monitored to establish when they have been completed and to what degree they met the relevant objectives from the UDP. Many policies and proposals are linked to quantitative or qualitative targets and dated 'milestones'. Their performance can be readily evaluated, therefore. Each year the Council will publish an Annual Monitoring Report.

Sustainability appraisal

14.3.3 The Sustainability Appraisal accompanying the Plan assesses the present sustainability ratings of the policies and proposals, in line with the UDP's over-arching aim of promoting environmental sustainability. An appraisal has been made at each stage of the Plan process. The Appraisal uses a broad range of indicators favoured in national and regional guidance. Some of these are the subjects of regular data collection by environmental agencies, and can be monitored quantitatively and qualitatively with some reliability. Consistent historical data is sometimes available over a period of years, to enable trends to be identified. Other indicators lack such data and impacts may need to be estimated. With site-specific proposals, the sustainability appraisals tend to be one-off exercises, necessary at the time of site investigation, and only a limited range of indicators may be relevant, depending on local circumstances.

National & Regional Planning Guidance

14.3.4 Local authorities are required to keep under review matters that may be expected to affect the development of their area or the planning of that area. Policies and proposals are generally expressed in a form that will facilitate monitoring and review. The reasoned justification behind policies normally offers some indication of how monitoring and review are to be carried out, by setting out aims and objectives and, where appropriate, measurable targets. PPS12 outlines how plan monitoring and plan review are related, and advocates regular publication of monitoring results as a matter of good practice. The national guidelines on monitoring and the local practice in development plans are mediated by the Regional Spatial Strategy, which sets out its own monitoring system to check on how local development is meeting the regional strategy. Of particular importance for monitoring will be the implications of 'plan, manage and monitor' and the 'sequential' approach to housing provision, as well as the performance of the regional economy and strategies for urban and rural regeneration.

14.3.5 The Regional Spatial Strategy for the West Midlands is developing a detailed framework to assess the extent to which the Spatial Strategy for the Region is being implemented, and to evaluate the effectiveness of the RSS, as well as examining external factors that may influence implementation of the Strategy. To assist this, a range of 'contextual indicators' have been developed to keep abreast of general changes to social, economic, land use and environmental conditions within different parts of the Region. This is supported by an assessment of 'policy outcome indicators', covering the implementation of the RSS within the development plan framework and other strategies. The role of local planning authorities in collecting regular information on land use change and other issues is, therefore, particularly important to the regional monitoring system. The Herefordshire UDP will need to both reflect the RSS in its own monitoring and feed back information on local performance to the Region.

Surveys

14.3.6 Development plans are required to be as up-to-date as possible, particularly in view of their status in determining applications. Local authorities are required to keep under

review all matters affecting local development or its planning, and are empowered to institute surveys to examine such matters. Effective monitoring necessitates carrying out survey work on a wide range of topics. Herefordshire Council already prepares regular surveys on many topics and will be extending coverage to other topics in the UDP. These surveys are carried out by the Council's officers, often in co-operation with other agencies. New statutory designations or major development proposals arising in future will need to be monitored. Surveying and monitoring are resource-intensive activities. Extensive co-ordination will be required with other agencies in the Region and priorities need to be established amongst the UDP topics to ensure the most effective use of available resources. While suitable indicators can be identified for each main policy topic, regular, systematic monitoring will depend on the capacity of all the relevant agencies to produce data. Apart from publishing the established surveys of priority topics such as housing land availability, it is envisaged that periodic monitoring reports will be produced by the Council for the UDP as a whole. These will assess whether development is occurring in line with Plan policies.

Planning application monitoring

- 14.3.7 The Council operates a GIS-based development control information system that enables detailed monitoring and analysis of planning applications/permissions, appeal decisions, and other aspects of planning control. This can pick up on development trends and new issues, and can highlight unexpected changes that may need further research. In turn, this can identify the strengths and weaknesses of the Plan, and establish the need for review.

Review and roll-forward

- 14.3.8 Under the 2004 Planning Act the adopted UDP will be a saved plan within the Council's Local Development Framework (LDF). Other Development Plan Documents along with supporting Supplementary Planning Documents will be prepared. The Council's local Development Scheme which is set annually will make clear the documents to be prepared and their timing.

14.4 Implementation and monitoring of UDP policies

- 14.4.1 The remaining paragraphs set out, for each topic chapter of the UDP, key measures for implementing and monitoring the Plan. The list is selective rather than exhaustive.

Chapter 3 – Strategy

- Monitoring the overall vision, guiding principles and strategy for the Plan against changing external conditions.
- Following through the Regional Spatial Strategy after its adoption. Identifying any policies and proposals that may need alteration in light of RPG changes.
- Providing local data in respect of RSS monitoring indicators.
- Assessing the degree to which actual locational patterns of new development, especially for housing and employment, accord with the overall spatial development strategy in the UDP. Identifying the need for restraint or release of permissions to maintain UDP targets for individual settlements.
- Monitoring major developments in transport infrastructure and service provision, together with patterns of movement, to assess any implications for the development strategy.

Chapter 4 – Development Requirements

- Preparation of development briefs for UDP allocated sites or development areas, setting out all requirements needed to meet UDP policy.
- Monitoring the extent to which planning approvals and the ensuing developments comply with conditions and obligations arising from the development criteria.
- Promotion of good design – preparation and dissemination of design guidance through a SPD. Negotiation with owners/developers on specific sites and areas, and requirement for design statements to accompany planning applications.
- Promotion of sustainable movement patterns – co-operation with major trip generators to develop travel plans; monitoring of modal split resulting from new development and transport infrastructure.
- Adoption of appropriate standards of access-for-all in new and improved development. Consultation with groups representing people with disabilities.
- Environmental protection and enhancement – promotion of higher environmental management standards via links to Strategic Environmental Assessments (SEA) and Local Agenda 21 programmes; monitoring of impacts of new development on service/utility capacity, resource consumption, water, land and air quality, flood risk, noise levels, lighting intrusion, amenity, wildlife, landscape. Requiring land contamination/stability surveys from applicants where there are reasonable grounds to suspect site problems. Requiring developers to submit environmental statements on certain major developments, to assess environmental impacts.
- Use of Section 106 agreements (planning obligations) to secure community and environmental benefits, either directly related to the development or through commuted payments for wider community use. Issue of Supplementary Planning Documents.
- Promotion of village appraisals, parish plans and village design statements to provide a framework for consideration of local issues. Where consistent with planning policy and subject to local consultation, these would be considered for endorsement as further planning guidance.

Chapter 5 – Housing

- Monitoring population and household changes through key indicators, including dwelling completions, electoral roll, National Health records, school registers, etc., in order to assess forecasts of population and its composition. Updating of population and household projections as new data sets become available.
- Ongoing analysis of the 2001 Census data on population characteristics, social and economic trends, etc. – to inform any review of the UDP development strategy.
- Continued production of the annual housing land availability study, as part of the Annual Monitoring Report, to identify completion rates, distribution, and the proportion of brownfield/greenfield land taken up; to maintain an adequate land bank; to monitor targets for individual settlements; and to gauge progress towards the total housing provision requirement for the County. Gauge progress towards affordable housing provision, including improvements to housing stock quality; reduction of waiting lists, homelessness and those in temporary accommodation; house price data; reductions in vacant dwellings; changes in numbers of social housing.
- Continuing the periodic production of Housing Needs Surveys, in liaison with the Council's Housing service and Housing Associations, in order to target available

housing resources. In particular, reviewing the need for affordable housing or housing for those in need of care.

- Ensuring, where appropriate, suitable provision of affordable housing in connection with new housing development, to address local needs through Section 106 Planning Obligations. Monitoring the levels of affordable housing achieved in relation to estimated need.
- Production of development briefs for UDP-allocated housing sites, taking into account planning policy considerations, development constraints and opportunities.
- Promotion of the refurbishment and re-use of empty homes, the conversion of vacant floors above shops to residential use, and the sub-division of larger properties for multiple occupation.

Chapter 6 – Employment

- Monitoring economic and employment trends and production of quarterly economic reports.
- Continued production of annual employment land availability surveys, as part of the Annual Monitoring Report, to identify completion rates and distribution, to maintain an adequate land bank, and to monitor targets for individual settlements.
- Preparation or revision of management plans for major employment areas, and the progressive release of sites for development according to the resolution of acknowledged development constraints.
- Production of development briefs for major new, redeveloped or extended employment sites, taking into account planning policy considerations, development constraints and opportunities.
- Co-ordination of employment land planning with wider regeneration initiatives and economic development aspects of the Community Strategy.
- Provision of serviced land and buildings to cater for business and employment.

Chapter 7 – Town Centres & Retail

- Production of annual retail surveys of the town centres to assess their vitality and viability. Monitoring of shopping habits, vacant shops, national retailer representation, etc. Reviewed assessment of future shopping need. Monitoring of the maintenance/loss of village shops through village assets surveys.
- Monitoring the balance of retail provision between town centres, edge-of-centre sites, out-of-centre sites, edge-of-town sites and out-of-town sites, with reference to the requirements of particular retail sectors (including petrol stations, garden centres, farm shops).
- Monitoring the impacts of major commercial relocations, such as the livestock market.
- Monitoring supply and distribution of office space.
- Production of development briefs for retail development/redevelopment sites, taking into account planning policy considerations, development constraints and opportunities.

- Working with the business community, town centre managers and market towns initiatives to identify and implement measures to sustain town centre viability and reduce shop vacancy.
- Implementation of the Government's Rural Rate Relief scheme, in order to sustain village shops and Post Offices, and help maintain existing facilities and encourage new ones to meet rural needs.

Chapter 8 – Transport

- Co-ordination with the Local Transport Plan to promote sustainable transport serving all sectors of the community, and to ensure that LTP programmes help to implement longer-term policies and proposals in the UDP. Identification and assembly of funding for approved projects.
- Promotion of modal shift in favour of public transport, walking and cycling, through a combination of measures such as better infrastructure, subsidised bus/rail services, targeted concessionary passes, and improved travel information. Monitoring of modal shift patterns resulting from these initiatives. Production of development briefs for new transport interchanges. Implementation of proposals emerging from the multi-modal study for Hereford.
- Monitoring of rail traffic growth to identify appropriate market conditions for new passenger stations, railfreight terminals, and enhance train services. Monitoring of businesses to identify opportunities for locating new enterprises, or relocating existing enterprises, on sites with existing or potential rail access.
- Monitoring of ridership/viability on buses serving villages identified for significant development allocations in the UDP on the basis of sustainable access. Priority given to maintaining/expanding bus services to such villages in order to implement the development strategy.
- Implementation of the County Cycling Strategy through a programme of measures to create safe and attractive cycle routes throughout the County. Establishment of National Cycle Network routes, Regional Routes, Safer Routes to School and an extensive recreational network. Cycle counts and surveys to monitor use of designated cycle routes. Monitoring of cycle parking provision.
- Implementation of a walking strategy through provision of safer walking routes in and around settlements and full availability and promotion of the rural rights of way network. Monitoring of the length of public rights of way open for use within the County. Planning and implementation of pedestrianisation and home zone schemes to increase safe walking opportunities.
- Monitoring of road traffic levels, especially in relation to proposed development sites in the UDP, and to review the continued relevance of proposed road construction schemes.
- Monitoring of parking demand and supply in relation to policies for restraining parking provision in central areas of towns.
- Production and implementation of transport safety plans through engineering, education and enforcement measures and the setting of performance indicators.
- Putting a requirement on planning applicants to submit a Transport Assessment, where the traffic and transport implications of a proposed development warrant provision of associated transport improvements.

- Monitoring traffic exhaust emissions to assess air quality levels and implement appropriate measures where levels are unacceptable. Implementation and monitoring of the Hereford Air Quality Management Area, including through planning applications affecting the AQMA.

Chapter 9 – Natural & Historic Heritage

- Production and publication of the GIS-based Herefordshire Landscape Character Assessment as a guide for developers, development control staff, land managers and others, accompanied by a Supplementary Planning Document.
- Review and rolling forward of the AONB Management Plans for the Wye Valley and Malvern Hills, and their subsidiary topic/area strategies. Preparation and implementation of environmental and access initiatives within the AONBs. Liaison with Brecon Beacons National Park Authority on border issues.
- Review of the River Wye Strategy for the river corridor throughout Herefordshire to ensure its proper conservation and management. Monitoring of the environmental impacts of development and activities affecting the river corridor. Implementation of new initiatives for river corridor management.
- Review and rolling forward of the Herefordshire Biodiversity Action Plan. Monitoring of changes to protected habitats and impacts on species. Review and updating of tertiary wildlife sites registers.
- Monitoring of tree planting schemes and woodland management schemes to gauge changes in the tree stock and its capacity for carbon-fixing. Monitoring felling of protected trees. Monitoring of hedgerow loss due to development or agricultural changes.
- Production of Conservation Area appraisals to describe their special qualities and features and provide guidance on how development and restoration should be undertaken. Review of existing Conservation Areas to assess any need for boundary changes, and to assess possible new designations.
- Monitoring of historic buildings at risk and maintenance of a register to help prevent valuable built features falling irretrievably into disrepair. Monitoring of changes to rural buildings resulting from re-use.
- Maintenance of the County Sites & Monuments Register to ensure that valuable archaeological remains are recorded. Requirement for planning applicants to commission archaeological surveys where there is evidence of the existence of important remains. Monitoring of change to archaeological sites/areas.
- Monitoring of changes to historic landscapes and implementation of conservation programmes in co-operation with landowners.

Chapter 10 – Recreation, Sport and Tourism

- Review of the Countryside Access Strategy for Herefordshire and production of a Strategy for Recreational Routes. Implementation of new access projects.
- Review of the River Wye Strategy for the river corridor throughout Herefordshire and co-operation with its navigation authority to ensure its proper use for recreational and transport purposes.
- Monitoring of the demand for different types of recreational and sports facilities, rates of participation in recreational activities, the availability of existing open space provision and facilities, and the likely future needs related to population characteristics

– all in liaison with Sport England. Reviewing open space standards and developer contributions, expenditure and income under Section 106 agreements.

- Monitoring loss/gain of open space, especially in urban areas.
- Production of development briefs for major new leisure and entertainment developments on sites allocated in the UDP, taking into account planning policy considerations, development constraints and opportunities.
- Monitoring of supply and occupancy rates of visitor accommodation of different types, in co-operation with Heart of England Tourist Board.

Chapter 11 – Minerals

- Production of annual surveys assessing sales, distribution and reserves of materials for use as aggregate minerals. Monitoring of County contributions to regional quotas for mineral production.
- Monitoring of take-up of extant permissions for mineral working.
- Monitoring of conformity to planning conditions for extraction sites.
- Review of planning conditions for extraction sites to determine the effectiveness of working restoration and after-care arrangements, and to update them to acceptable modern standards, if necessary.

Chapter 12 – Waste

- Monitoring of the waste stream arising in Herefordshire and the development of waste management facilities, in order to identify capacity for treating waste both locally and regionally. Monitoring the proportions of waste dealt with by different means – landfill, recycling, incineration, export.
- Keeping abreast of new waste management methods arising from technological advances, in order to review County waste strategy where necessary.

Chapter 13 – Community Facilities & Services

- Monitoring demand for and provision of services and facilities for health, education, welfare, crime prevention, burials and other community needs, and identifying any additional land needs.
- Ensuring provision, where needed, for community facilities associated with new development, including through Section 106 Planning Obligations, where appropriate.
- Monitoring proposals for utility infrastructure, including overhead lines, telecommunications masts, renewable energy projects and drainage schemes.
- Working with developers and designers to identify appropriate sites for community art.