

Your guide to...

LOCAL DEVELOPMENT PLANS (LDP)

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The development plan is at the heart of the planning system with a requirement set in law that planning decisions must be taken in line with the development plan unless **material considerations**⁽¹⁾ indicate otherwise.

The development plan is made up of a number of documents. It will include any local plan adopted by your council. Every council is required to prepare a local plan, which sets out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for conserving and enhancing the natural and historic environment, mitigating and adapting to climate change, and achieving well designed places. Councils publish their plans online.

Supplementary Planning Document

Supplementary planning documents (or SPDs) are prepared by district or unitary authorities, and form part of the local plan for an area. SPDs usually provide more detail on policies in development plan documents, for example on design or local affordable housing policy. They are not a part of the formal development plan, but are a **material consideration**⁽¹⁾ when deciding on a planning application. Because they are not part of the development plan, SPDs do not have to be consulted on as extensively as development plan documents, and do not undergo sustainability appraisal.

Glossary

- 1. Material Consideration** - A factor which will be taken into account when reaching a decision on a planning application or appeal. Under section 38 of the Planning and

Compulsory Purchase Act (2004), decisions on planning applications 'must be made in accordance with the [development] plan unless other material considerations indicate otherwise'. The courts ultimately decide what constitutes a material consideration. However, case law gives **local planning authorities**⁽²⁾ a great deal of leeway to decide what considerations are relevant, and how much weight should be given to them, each time they decide on a planning application. In practice, **government planning policy** is often the most important material consideration, other than the development plan. Government policy may override the development plan if it has been consulted on and published more recently.

2. **Local Planning Authority** - The local government body responsible for formulating planning policies, controlling development and determining planning applications. This could be a **district council**⁽³⁾, **unitary authority**⁽⁴⁾, metropolitan council or national park authority. When development involves minerals or waste, the **county council**⁽⁵⁾ or **unitary authority**⁽⁴⁾ is normally the local planning authority, and is referred to also as the minerals planning authority or the waste planning authority.
3. **District Council** - The lower tier, or where parish or town councils exist, middle tier, of the two or three-tier county shire local authority structure in England. District council responsibilities include planning, waste collection and provision of leisure facilities.
4. **Unitary Authority** - Unitary authorities provide a one-tier, or where parish or town councils exist a two-tier, structure of local authority in England. The responsibilities of unitary authorities include registering births, marriages and deaths, waste collection and disposal, social services, and provision of social housing.
5. **County Council** - The upper tier of the two- or three-tier county shire local authority structure in England. County council responsibilities include transport, schools and administering births and marriages.