

CORPORATE SCRUTINY COMMITTEE

9th May 2019

Revised Carmarthenshire Local Development Plan 2018 - 2033

Draft Pre-Deposit Preferred Strategy

Recommendations / key decisions required:

- To consider and note the representations received, and ratify the recommendations provided in respect of the Draft Pre-Deposit Preferred Strategy.
- To consider and note the representations received and ratify the recommendations provided in respect of the Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) Initial Report, Habitat Regulations Assessment (HRA) Screening Report and the LDP Review Report.
- To grant officers delegated authority to amend the Preferred Strategy in light of the recommendations emerging from the SA/SEA, HRA process and emerging evidence as part of the preparation of the Deposit LDP.
- To grant officers delegated authority to make non substantive typographical or factual amendments as necessary to improve the clarity and accuracy of the Delivery Agreement.

Reasons:

- To comply with the Council's statutory obligations in terms of the preparation and progression of a Revised Local Development Plan for Carmarthenshire, in accordance with statutory procedures.
- To meet the legislative requirements in respect of the preparation of a Sustainability Appraisal/Strategic Environmental Assessment and Habitat Regulations Assessment.
- To respond and accord with the timetable for the preparation of the Revised LDP as set out within the approved Delivery Agreement.
- To ensure that the preparation and adoption of the Revised (replacement) LDP proceeds in a timely manner ahead of the expiration of the current LDP.

Exec Board Decision Required YES

Council Decision Required YES

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr Mair Stephens

Directorate : Environment	Designations :	Tel Nos. 01267 228659
Name of Head of Service:		E Mail Addresses:
Llinos Quelch	Head of Planning	LQuelch@carmarthenshire.gov.uk
Report Author: Ian Llewelyn	Forward Planning Manager	IRLlewelyn@carmarthenshire.gov.uk

EXECUTIVE SUMMARY
COMMUNITY SCRUTINY COMMITTEE
9th May 2019

Revised Carmarthenshire Local Development Plan 2018 – 2033
DRAFT PRE-DEPOSIT PREFERRED STRATEGY

1. BRIEF SUMMARY OF PURPOSE OF REPORT.

This Report follows the approval at County Council on the 10th January 2018 to formally commence the preparation of a Revised (replacement) Local Development Plan (LDP), along with the Welsh Government's approval of the Delivery Agreement on the 28th June 2018 including its timetable for Plan preparation.

The preparation of the Draft Preferred Strategy (officially titled as the Pre-Deposit Preferred Strategy) represents an important milestone in the Council delivering on its statutory responsibilities to prepare an up-to-date Development Plan for the County (excl. the area within the Brecon Beacons National Park Authority).

The report follows the formal public consultation held on the content of the following documents in relation to the preparation of the revised Local Development Plan between the 12th December 2018 and the 8th February 2019. In total some 344 representations were submitted from a range of bodies and individuals and are broken down as follows:

Draft Preferred Strategy – 269 Representations
Sustainability Appraisal/Strategic Environmental Assessment Initial Report – 11 Representations
Habitat Regulations Assessment Screening Report – 62 Representations
Carmarthenshire Local Development Plan Review Report – 0 Representations
Call for Sand and Gravel Sites - 2 Representations

Details of these representations, along with officer responses and recommendations are set out within this report and its Appendices.

Reference is also made to Appendix 1 of this report which provides further background in relation to the Draft Preferred Strategy and the supporting documents.

2. Background

The preparation of the Draft Preferred Strategy reflects the Council's statutory responsibilities to produce the revised LDP under the Planning and Compulsory Purchase Act 2004 - setting out policies and proposals for future development and use of land for Carmarthenshire over the period to 2033. The Delivery Agreement as approved by the Welsh Government (WG) identifies the timeline for the preparation and Adoption of the Plan by November/December 2021.

In determining the need to prepare a Revised LDP, members will recall that a Review Report was prepared in relation to the current Adopted LDP. This Review Report identified the following considerations:

- The need to ensure that a Revised LDP would be prepared and adopted before the expiration of the current LDP at the end of 2021.
- Failures in the delivery of the LDP strategy, the settlement framework and the spatial distribution of growth - notably in respect of both the level and spatial distribution of growth, and the need to ensure that the strategy, particularly in terms of spatial distribution of growth and the performance of the tier 2 and 3 settlements is realistic and deliverable.
- Failure to deliver a 5 year housing land supply, as required within PPW and Technical Advice Note 1.
- Need to ensure that the strategy and the identified growth requirements are robust, and that the spatial framework, distribution of growth and the allocated sites within the Plan are deliverable.
- To consider the implications of the 2014-based Local Authority Population and Household Projections and the variance in population change and household requirements.
- In addition, to consider contextual changes and changes in the form of legislation, national policy and a range of Plans and strategies and to the evidence base.

The preparation of the Draft Preferred Strategy, in reflecting the above and other outcomes from the Annual Monitoring Reports, also seeks to develop an evidence-based process. This is derived from a the need to develop a balanced understanding of the regional and local context, as well as those key issues and drivers relevant to, and addressable through planning policies and land use allocation planning policies.

At the heart of this, is the need for a level of population growth which reflect the Council's objectives and aspirations for job creation and delivery of new homes (including affordable), whilst recognising the diversity of the County, its economy and communities. In this respect, the Draft Preferred Strategy will at a strategic level (matters of detail and individual sites will be considered at the Deposit LDP stage), seek to balance these requirements ensuring that sufficient housing, employment sites, community facilities and infrastructure is provided to support this anticipated level of growth in a way that does not have an unacceptable adverse impact on the environment or communities.

The development of the Preferred Strategy and its components including: Issues; Vision, Strategic Objectives; Growth Options; Spatial Options and preferred strategic approach have been considered and developed in light of engagement through a number of groups and consultations including the Key Stakeholder Forum. The documentation associated with these consultations will be published along with the Preferred Strategy.

3. Draft Preferred Strategy - Key Themes from Representations

As noted above 269 representation were submitted in respect of the Draft Preferred Strategy. These submissions were from a wide range of respondents and offer constructive input for the Revised LDP as it progresses through its preparatory process.

Many of the comments received reflect that the preparation of the development plan is iterative in nature with its content and the evidence base developing in response to changes in approach and guidance. In this respect as the preparation of the revised LDP progresses toward the Deposit Plan further detail will emerge and be incorporated.

The importance of collaborative working across organisations also emerges as a consistent theme within the representations including the need to work with landowners and developers on bringing sites forward and producing the necessary evidence to support their inclusion in the Plan.

Please see Appendix 2 for the representations received and the officer comments and recommendations.

4. Sustainability Appraisal (SA)/Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) - Key Themes from Representations

The publication of the Draft Preferred Strategy will be accompanied by a suite of evidential and other documents. Key amongst these is the Initial Sustainability Appraisal (SA) which incorporates the Strategic Environmental Assessment (SEA). The SA is required by Section 62 (6a) of the Planning Compulsory Purchase Act 2004, while the SEA is a requirement of the SEA Directive 2001/42/EC1. An SEA is a mandatory requirement for plans/programmes.

The SA is an integral part of the preparation of the Revised LDP, evaluating and testing its content throughout its preparatory process. In particular the Initial SA:

- Tests the Revised LDP objectives against the Sustainability Framework.
- Predicts and evaluates the effects of the LDP options in terms of both growth and spatial distribution, as well as the strategic policies that will be put in place to implement them.
- Considers ways of mitigating adverse effects and maximising beneficial effects.
- Proposes measures to monitor the significant effects of implementing the LDP.

A further key document is the Habitat Regulations Assessment (HRA) Screening Report.

The 11 and 62 responses received in relation to the SA/SEA and HRA documents respectively reflect the often technical nature of their content. In this respect the focus of the comments was from Natural Resources Wales and provide technical updates and further detail to improve their clarity and meaning.

The comments received and officer comments and recommendations in respect of the SA/SEA Initial Report are as set out Appendix 3, and Appendix 4 in respect of the HRA Screening Report. Please note Appendix 5 sets out those responses received to the SA scoping report (these are included for the purposes of transparency). The Scoping Report has already been the subject of a focussed consultation exercise (that is, with technical bodies/organisations) back in July/August 2018.

5. Call for Sand and Gravel Sites.

The 'call for sand and gravel sites' was undertaken in response to Minerals Technical Advice Note 1 Aggregates which places a requirement to maintain adequate reserves for the Plan period. Whilst there is currently an adequate supply (in combination with Ceredigion and Pembrokeshire), the Regional Technical Statement notes a potential shortfall in provision of sand and gravel resources (over a 15 year period).

In seeking to address to above the 'call for sand and gravel sites' resulted in two submissions. Both focused on sites with existing extant planning permissions as follows:

Llwynjack farm, Llandovery – respondent C.J. Lewis
Cwmgwyn Farm, Llandovery – respondent D.A. Lewis

The sites will be considered against their ability to contribute to meeting any shortfall in provision. In this respect their current extant status is duly noted. Copies of the representations are available to view through the Forward Planning Section.

6. Consultation on the Register of Candidate Sites

In conjunction with the consultation on the Draft Preferred Strategy a further consultation was undertaken on those sites submitted as part of the 'Call for Candidate Sites' held in 2018. This provided interested parties with an opportunity to lodge their views on the 926 candidate sites submitted to the LPA.

As part of this process a significant number of representations were submitted. These will be utilised to inform the consideration and selection of sites for inclusion within the Deposit LDP. It should be noted that the candidate Sites submitted as part of the call for sites, are not proposed by the local planning authority rather they represent expressions of interest from individuals/developers. It should be noted that a number of sites have been submitted as part of this process by other service areas within the Council. Responses received as part of the consultation on the Register of Candidate Sites will not be subject to the reporting process.

Further details on the number and spatial focus of the representations will made available once Officers have had the opportunity to review and summarise those comments.

7. Next Steps

Following the Council's deliberations, the Draft Preferred Strategy along with its supporting documents will be amended with any changes incorporated into the next version of the Plan. In this respect any amendments to the Preferred Strategy as a result of this report and the member deliberations and the recommendations of the SA/SEA, HRA and emerging evidence will be incorporated within the Draft Deposit LDP scheduled for publication in December 2019.

Members should note that the Draft Deposit LDP and its content will be reported to a meeting of Council prior to its publication for consultation.

Note: It should be noted that whilst the revised LDP is being prepared, the current adopted Plan remains extant and will continue to provide the planning policy framework by which planning applications will be determined.

DETAILED REPORT ATTACHED ?	YES
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: L Quelch

Head of Planning

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	YES	NONE	YES	YES	YES

1. Policy, Crime & Disorder and Equalities

The Draft Preferred Strategy identifies the links and requirements necessary to ensure the Plan, and the processes in its preparation are compatible with Carmarthenshire County Council's well-being objectives. It also ensures alignment with the national Well-being Goals set out within the Well-being of Future Generations Act 2015. Through its land use planning policies, the Revised LDP will seek to promote the principles of sustainability and sustainable development by facilitating the creation of communities and local economies which are more sustainable, providing access to local services and facilities and reducing the need to travel.

The integration of sustainability as part of the preparation of the LDP is reflected in the undertaking of a Sustainability Appraisal and Strategic Environmental Assessment reflecting national and international legislative requirements. The formulation of the Revised LDP will closely consider matters of sustainability and will be prepared with the outcomes of the Plan measured in light of the Sustainability Appraisal indicators. This iterative approach ensures sustainability is at the heart of the Plan and that it is reflective of the requirements emanating from the Wellbeing and Future Generations Act 2015 and the emerging Carmarthenshire Well-being Plan.

The Plan will be assessed against the National and local Well-being Objectives. The Revised LDP will ensure the requirements emanating from the Act are fully and appropriately considered with the Plan, reflective of its duties.

2. Legal

The preparation of the Revised LDP reflects the provisions of the Planning and Compulsory Purchase Act 2004, the requirements of the Planning (Wales) Act 2015 and secondary legislation in the form of the Local Development Plan (Regulations) Wales (As amended) 2015.

The preparation of the LDP will also have appropriate regard to other sources of primary and secondary legislation including the Environment (Wales) Act and the Well-being of Future Generations Act 2015.

The preparation of the Draft Preferred Strategy is in accordance with the 2004 Planning and Compulsory Purchase Act. It is also in line with national regulations and guidance in relation to its scope and content.

3. Finance

Financial costs to date are covered through the financial provisions in place - including growth items and reserves. Should the Planning Division Budget not be in a position to provide further funding necessary to meet the statutory requirements to review and prepare a development plan then an application will be made for a further growth bid.

The Delivery Agreement, in making reference to such matters, outlines the Council's commitment to prepare and adopt an up-to-date LDP in accordance with the Council's statutory duty.

4 Risk management

The delivery timeframe is that agreed by WG as required by Statute. There is very little room for slippage in that timetable.

The timetable set is intended to ensure that the LA has a LDP in place once the current LDP expires in 2021. Any slippages would therefore put the LA at risk of not having an adopted LDP in place for a period of time after 2021.

6. Physical Assets

Council owned sites and properties have been submitted to the LPA as part of the candidate sites process. The preparation of the Revised LDP will impact on Council land and property holdings through their inclusion or otherwise for potential development purposes. This will have implications on potential disposal and land valuations and consequently capital receipts.

7. Staffing Implications

Provision will be required for a Programme Officer for the Examination into the LDP (anticipated 2020/21).

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: L Quelch

Head of Planning

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

1. Scrutiny Committee

TBC

2. Local Member(s)

The content of the documents within this report have been subject to full public consultation. Members have been and will continue to be engaged throughout the LDP revision process.

3. Community / Town Council

The content of the documents within this report have been subject to full public consultation. Town/Community Councils(s) are a specific consultee at statutory stages throughout the LDP revision.

4. Relevant Partners

The content of the documents within this report have been subject to full public consultation. A range of partners are identified as specific and general consultees throughout the LDP review process.

5. Staff Side Representatives and other Organisations

The content of the documents within this report have been subject to full public consultation. Internal contributions have to date and will be sought throughout the LDP review process.

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Adopted Carmarthenshire Local Development Plan		http://www.carmarthenshire.gov.wales/home/residents/planning/policies-development-plans/local-development-plan/
Supplementary Planning Guidance		http://www.carmarthenshire.gov.wales/home/residents/planning/policies-development-plans/supplementary-planning-guidance/#.V06h-JwrKUk
LDP Review Report		http://www.carmarthenshire.gov.wales/media/1213042/ldp-review-report-english-version.pdf
Delivery Agreement		https://www.carmarthenshire.gov.wales/home/council-services/planning/local-development-plan-2018-2033/delivery-agreement/#.XluksNr7SUK
Revised LDP - Draft Pre-Deposit Preferred Strategy		https://carmarthenshire.jdi-consult.net/ldp/readdoc.php?docid=6
Draft Pre-Deposit Preferred Strategy – Easy Read version		https://www.carmarthenshire.gov.wales/media/1217303/preferred-strategy-easy-read-complete.pdf
SA/SEA Initial Report		https://www.carmarthenshire.gov.wales/media/1216965/initial-sa-english.pdf
SA/SEA Initial Report: Non-Technical Summary		https://www.carmarthenshire.gov.wales/media/1216966/initial-sa-non-technical-english.pdf
HRA Screening Report		https://www.carmarthenshire.gov.wales/media/1216964/hra-screening-report-english.pdf
Register of Candidate Sites		https://carmarthenshire.jdi-consult.net/ldp/readdoc.php?docid=3
Candidate Site Register – Initial Assessment		https://www.carmarthenshire.gov.wales/media/1217108/candidate-site-register-paper-002.pdf
Revised LDP 2018 – 2033: Evidence Base		https://www.carmarthenshire.gov.wales/home/council-services/planning/local-development-plan-2018-2033/development-of-an-evidence-base/#.XluINdr7SUK