

# LDP MANUAL

## LOCAL DEVELOPMENT PLAN MANUAL



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government



Planning: delivering for  
Wales Programme

June 2006

## MINISTERS FOREWORD



Over the past 3 years I have been impressed by the joint effort that has gone into creating the new Welsh development plan system. The LDP Manual is the culmination of continuing contributions by the private, public and voluntary sectors and the hard work of all those partners and stakeholders who have helped us turn legislation into practical help and guidance.

I am encouraged that almost half the planning authorities in Wales have made a start on the new system and that LDP Delivery Agreements are beginning to fulfil the promise of widening community contributions to the process.

Proof of the benefits of the new system now lie in the hands and hard work of local planning authorities and their partners in the LDP process. All should use this Manual to ensure that local development plans fulfil their promise to:

- Deliver sustainable development;
- Be clearly related and central to other levels of plan making;
- Be effective in the delivery of local aspirations;
- Be easier to process, responsive to change, regularly monitored and faster to update;
- Inspire confidence in stakeholders; and
- Better integrate land use planning decisions with the programmes and activities of others.

**Carwyn Jones AM**

A handwritten signature in black ink, appearing to read 'Carwyn Jones', written in a cursive style.

**Minister for Environment, Planning and Countryside**



## ACKNOWLEDGEMENTS

This research project has been carried out by Ove Arup and Partners.

They were supported by Welsh Assembly Government officials and, in respect of the sustainability appraisal content, by Rhian Brimble (seconded from Caerphilly County Borough Council) and the Countryside Council for Wales.

The LDP Stakeholder Group acted as a sounding board for preparation of the Manual, LDP Wales and the LDP Regulations. It was Chaired by Neil Harris (Cardiff University), and the group comprised Malcolm Phillips (Wrexham CBC) and Roger Tanner (Caerphilly) representing the Welsh Local Government Association; Michael Pender (Denbighshire) representing the Planning Officers Society of Wales; Eric Bowles (Brecon Beacons) representing national park authorities; Gwenan Davies and latterly Constance Adams (Welsh Council for Voluntary Action); Lynda Healy (Home Builders Federation); Mike Webb (RSPB) representing Wales Environment Link; Janet Davidson (RTPI); Alan Langton, Keith Holland and John Davies (Planning Inspectorate Service). Group discussion, collective advice and individual ideas contributed much to the format and content of the document.

Assembly officials are also grateful to those who attended the technical workshop in July 2005 held to inform the production of the Manual and for the assistance of the LDP Pathfinder Group of those Local Planning Authorities starting early on the preparation of LDPs (Cardiff, Caerphilly, Conwy, Eryri, Denbighshire, Merthyr Tydfil, Rhondda Cynon Taf, Torfaen and Wrexham).



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# Part A

## Introduction

# 1 Introduction

## 1.1 Context

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The requirement for each Local Planning Authority (LPA) to produce a Local Development Plan (LDP) is set out in Part 6 of the Planning and Compulsory Purchase Act, 2004. Procedural requirements are explained in the Local Development Plan Regulations<sup>1</sup>. National **planning policy guidance** in relation to the preparation of LDPs is set out in *Local Development Plans Wales*<sup>2</sup> (2005).

This Local Development Plan Manual is intended to be read in conjunction with these documents. *Local Development Plans Wales* sets out the main principles and aims for the new system, the requirements for LDP form and content and the process for producing LDPs. This Manual provides more detailed practical and technical advice on aspects of LDP production, focusing particularly on areas where there are main differences with the old system and significant technical challenges.

The Manual incorporates material from the Planning Inspectorate document, *Guide to the Examination of Local Development Plans* (2006). The full document, which gives advice on the tests of soundness and the examination can be obtained from the Planning Inspectorate<sup>3</sup>.

In parallel to the Manual a pamphlet about the new system has been produced, to inform the general public about how to get involved in LDP production (*Planning Your Community*).

As experience of the new system develops, it will be useful to identify and share knowledge and examples of best practice and transferable lessons from both inside and outside of Wales. This Manual is designed to be updated to incorporate new material and, in particular examples of best practice.

## 1.2 How the Manual relates to other advice

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This Manual is a reference document, principally for practitioners involved with LDPs. It is not national policy. National policy and regulations<sup>4</sup> on the LDP system have been published separately. The following are of particular relevance:

- *Local Development Plans Wales* [2005] (Welsh Assembly Government);
- *Planning Your Community* (Public Guide to Local Development Plans [2006]) (Welsh Assembly Government);
- *Guide to the Examination of Local Development Plans* [to issue 2006] (the Planning Inspectorate);
- *Planning Policy Wales Companion Guide* [to issue 2006] (Welsh Assembly Government);

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1 The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005

2 *Local Development Plans Wales*, Welsh Assembly Government 2005

3 Planning Inspectorate, Cathays Park, Cardiff, CF10 3NQ (telephone: 02920 823892/821581)

4 The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005

- *A Practical Guide to the SEA Directive* [September 2005], prepared by ODPM, the Scottish Executive, the Welsh Assembly Government and the Northern Ireland Department of the Environment<sup>5</sup>; and
- *National Park Management Plans: guidance in preparation* by CCW, to be finalised Spring 2006.

The following ODPM documents also have relevant guidance:

- Sustainability Appraisal of Regional Spatial Strategies and Local Development Frameworks, [November 2005]<sup>6</sup>;
- Local Development Framework Monitoring: A good practice guide [March 2005]<sup>7</sup>; and
- The Local Development Frameworks learning and dissemination project, being run by the Planning Advisory Service.

National guidance is in preparation for other strategies and plans to which LDPs need to relate, i.e. Community Strategies, and Regional Transport Plans.

### 1.3 Purpose of the Manual

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This Local Development Plan Manual is intended to provide practical and technical advice on how to prepare Local Development Plans.

The Manual is aimed at practitioners implementing or contributing to LDP preparation, including the following groups:

- local authority planners and members involved in preparing LDPs;
- officers in other local authority departments and partner organisations who assist in the production of the LDPs; and
- those from other organisations with an interest in the development of their areas who will be involved closely in the preparation of LDPs.

LDPs are new, and the practice of their preparation will advance as LPAs implement the various stages for the first time. Therefore, this Manual will be a “living” document, which will be updated by the Assembly Government from time to time as lessons are learned from practice. This first version of the LDP Manual is produced in loose leaf format in a folder as well as on a CD Rom. Future updates will be sent as electronic amendments to be inserted into users’ electronic or folder format, and will be dated accordingly.

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5 Available from ODPM:  
[www.odpm.gov.uk/pub/290/APracticalGuidetotheStrategicEnvironmentalAssessmentDirectivePDF776Kb\\_id1143290.pdf](http://www.odpm.gov.uk/pub/290/APracticalGuidetotheStrategicEnvironmentalAssessmentDirectivePDF776Kb_id1143290.pdf)

6 Available from ODPM:  
[www.odpm.gov.uk/pub/346/SustainabilityAppraisalofRegionalSpatialStrategiesandLocalDevelopmentDocuments\\_id1161346.pdf](http://www.odpm.gov.uk/pub/346/SustainabilityAppraisalofRegionalSpatialStrategiesandLocalDevelopmentDocuments_id1161346.pdf)

7 Available from ODPM:  
[www.odpm.gov.uk/pub/906/LocalDevelopmentFrameworkMonitoringAGoodPracticeGuidePDF858Kb\\_id1143906.pdf](http://www.odpm.gov.uk/pub/906/LocalDevelopmentFrameworkMonitoringAGoodPracticeGuidePDF858Kb_id1143906.pdf)

## 1.4 How to Use the Manual

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**Part A** of the Manual sets out the themes which are expected to influence the LDP preparation process and the planning system as a whole. The principal themes are sustainable development and the need to meet the test of soundness set out by the Planning and Compulsory Purchase Act. Part A should be read in its entirety, as soon as a LPA considers the preparation of a LDP.

**Part B** sets out the main stages of LDP preparation, starting with an introduction to Sustainability Appraisal, incorporating SEA, followed by the main stages of the LDP preparation process and can be read selectively. See also Figure 3.1 AT THE START OF Part B, and also Figure 1 in LDP Wales (page 19) - the LDP Preparation Process Diagram. Each chapter describes the actions expected at each stage and advice on the relevance of the key themes set out in Part A.

Advice for "Pre-Deposit Plan Preparation and Consultation" has been structured across two chapters: chapter 5 provides advice on the preparatory tasks of gathering evidence and the identification of issues and objectives. Chapter 6 covers the development and testing of options and the preferred options report. Chapter 7 covers the preparation of the deposit LDP.

Alongside the relevant requirements for each stage of plan preparation, there is a description of the tasks involved in undertaking an associated sustainability appraisal (SA) incorporating strategic environmental assessment (SEA). Each chapter starts with a flowchart of the main tasks involved in that stage, and ends with a tabular summary of those tasks.

As with most new processes, a specific set of terms has developed to describe aspects of the work. A GLOSSARY is included at the end of this section to assist the reader as they continue through the Manual.



## GLOSSARY

The Act	The Planning and Compulsory Purchase Act 2004.
Annual Monitoring Report (AMR)	This will assess the extent to which policies in the local development plan are being successfully implemented (Regulation 37 of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005.
Baseline	A description of the present state of an area against which to measure change.
Biodiversity Action Plan	A plan that sets objectives and actions for the conservation of biodiversity, with measurable targets, whose aim is to conserve and enhance nature across communities by bringing together all interests by involving sectors such as agriculture and business as well as the communities themselves. Action is developed and taken forward in partnership and in doing so reflects local priorities as well as biodiversity needs.
Citizens Panel	A randomly selected, representational number of residents who are consulted on a regular basis on a range of local issues and services.
Community	People living in a defined geographical area, or who share other interests and therefore form communities of interest.
Community Involvement Scheme (CIS)	Sets out the project plan and policies of the LPA for involving local communities, including businesses, in the preparation of local development plans. The CIS is submitted to the Assembly Government as part of the Delivery Agreement for agreement.
Community Strategy	Local authorities are required by the Local Government Act 2000 to prepare these, with the aim of improving the social, environmental and economic well being of their areas. Responsibility for producing Community Strategies may be passed to Community Strategy Partnerships, which include local authority representatives.
Consensus building	A process of early dialogue with targeted interest groups to understand relevant viewpoints and agree a course of action.
Consultation	A formal process in which comments are invited on a particular topic or set of topics, or a draft document.

Consultation exercise	A single consultation project focused on a defined objective and usually part of an overall consultation programme.
Contextual Indicator	An indicator used to monitor changes in the context within which the plan is being implemented.
Delivery Agreement (DA)	A document comprising the LPA's timetable for the preparation of the LDP together with its Community Involvement Scheme, submitted to the Assembly Government for agreement.
Development control policies	A suite of criteria-based policies which will ensure that all development within the area meets the aims and objectives set out in the Strategy.
Dialogue methods	Different techniques of interaction that build a continuous dialogue between and among affected groups.
Engagement	A process which encourages substantive deliberation in a community. Proactive attempt to involve any given group of people/section of the community.
Environmental Consultation Body	An authority with environmental responsibilities concerned by the effects of implementing plans and programmes and which must be consulted under the SEA Regulations; i.e. Countryside Council for Wales, Environment Agency and Cadw.
Environmental Report	Document required by the SEA Regulations which identifies, describes and appraises the likely significant effects on the environment of implementing the plan, see Sustainability Appraisal Report.
Evidence Base	Interpretation of Baseline or other information/data to provide the basis for plan policy.
Indicator	A measure of variables over time, often used to a measure achievement of objectives.
Initial SA Report	A term used in LDP Wales to refer to the SA Report, produced at the Preferred Strategy stage. This assesses the LDP options against the SA framework. The report is then expanded at the Deposit LDP stage and finalised alongside the Adoption Statement.
Involvement	Generic term to include both participation and consultation techniques.

Local Development Plan (LDP)	<p>The required statutory development plan for each local planning authority area in Wales under Part 6 of the Planning and Compulsory Purchase Act 2004.</p> <ul style="list-style-type: none"> <li>- A land use plan that is subject to independent examination, which will form the statutory development plan for a local authority area for the purposes of the Act. It should include a vision, strategy, area-wide policies for development types, land allocations, and where necessary policies and proposals for key areas of change and protection. Policies and allocations must be shown geographically on the Proposals Map forming part of the plan.</li> </ul>
Local Development Plans Wales (LDPW)	Planning policy guidance document from the Assembly Government on the preparation of Local Development Plans.
Local Planning Authority (LPA)	A planning authority responsible for the preparation of an LDP; i.e. County or Borough Council, or National Park Authority.
Local strategy partnership	Partnerships of stakeholders who bring together service providers, private, community and voluntary sectors to identify and meet local needs more effectively and in a joined up way; usually engaged in producing and to produce Community Strategies.
Mitigation	Measures to avoid, reduce or offset significant adverse effects.
National Park Management Plan	In national park areas the National Park Management Plan is the strategic over-arching document, co-ordinating and integrating other plans, strategies and actions where these affect the Park purposes and duties and should inform the LDP.
Objective	A statement of what is intended, specifying the desired direction of change in trends.
Output Indicator	An indicator that measures the direct output of the plan. These indicators measure progress in achieving the plan's objectives, targets and policies.
Participation	A process whereby stakeholders and the community can interface with plan makers.
Partners	Other local authority departments and statutory bodies where the LDP will help to deliver some of the objectives of their strategies. Partners may be expected to contribute to formulating relevant parts of the LDP.

Pre-deposit proposals documents	These include the vision, strategic options, preferred strategy, key policies, and the Sustainability Appraisal report.
Pre-deposit stage	In this Manual, referred to as the Strategic Options and Preferred Strategy stage of LDP preparation.
Scoping SA	The process of deciding the scope and level of detail of an SA, including the sustainability effects and options which need to be considered, the assessment methods to be used, and the structure and contents of the SA Report.
Service Level Agreement (SLA)	An agreement with a statutory agency which sets the standards which it will aim to meet, and the costs arising. The Planning Inspectorate agrees one with the LPA in respect of an LDP examination, setting out the likely timescales and cost of the examination and providing the LPA with clear guidance on the nature of their own responsibilities.
Significant effect	Effects which are significant in the context of the plan (Annexe II of the SEA Directive gives criteria for determining the likely environmental significance of effects).
Significant Effects Indicator	An indicator that measures the significant effects of the plan.
Site specific allocations	Allocations of sites (proposals) for specific or mixed uses or development contained in a local development plan. Policies will identify any specific requirements for individual proposals. Allocations will be shown on the LDP's proposals map.
Stakeholders	Interests directly affected by the LDP (and/or SEA) - involvement generally through representative bodies.
Strategic Environmental Assessment (SEA)	Generic term used internationally to describe environmental assessment as applied to policies, plans and programmes. The SEA Regulations require a formal "environmental assessment of certain plans and programmes, including those in the field of planning and land use".
Supplementary Planning Guidance	Supplementary information in respect of the policies in an LDP. SPG does not form part of the development plan and is not subject to independent examination but must be consistent with it and with national planning policy.

Sustainability Appraisal (SA)	Tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors). Each LPA is required by S62(6) of the Act to undertake SA of the LDP. This form of SA fully incorporates the requirements of the SEA Directive. The term is used in this manual to include Strategic Environmental Assessment, unless otherwise made clear.
Sustainability Appraisal Framework	This comprises the identified SA objectives against which LDP options are then assessed.
Sustainability Appraisal Report	<p>A document required to be produced as part of the SA process to describe and appraise the likely significant effects on sustainability of implementing the LDP, which also meets the requirement for the Environmental Report under the SEA Regulations. S62(6) of the Act requires each LPA to prepare a report of the findings of the SA of the LDP.</p> <ul style="list-style-type: none"> <li>- The SA Report is first produced at the Preferred Strategy stage (called the Interim SA Report in LDP Wales), expanded at the Deposit LDP stage and finalised alongside the Adoption Statement.</li> </ul>
Wales Spatial Plan (WSP)	A plan prepared and approved by the National Assembly for Wales under S60 of the Act, which sets out a strategic framework to guide future development and policy interventions, whether or not these relate to formal land use planning control. Under S62(5)(b) of the Act a local planning authority must have regard to the WSP in preparing an LDP.

## LIST OF ABBREVIATIONS

CIS	Community Involvement Scheme
DA	Delivery Agreement
LDP	Local Development Plan
LDPW	Local Development Plans Wales
PPW	Planning Policy Wales
TAN	Technical Advice Note
SA	Sustainability Appraisal
SEA	Strategic Environmental Assessment
WSP	Wales Spatial Plan



## 2 Main Themes for the LDP System

### 2.1 Delivering Sustainable Development

**“Sustainable development is not an option that will go away - it is the only way forward.”**

*Rhodri Morgan AM, First Minister for Wales<sup>8</sup>*

The Assembly Government is committed to promoting sustainable development in Wales, and the planning system has a significant role to play.

The Government of Wales Act 1998 places a duty on the National Assembly for Wales to promote sustainable development in the exercise of its function (section 121).

This is translated into action through the Assembly's Sustainable Development Scheme and associated action plan as updated. *Starting to Live Differently*, adopted in March 2004, updated and revised the original Scheme dating from 2000. The Scheme sets out what commitments the Assembly Government is making towards sustainable development, the principles it will observe, and some of the processes it will apply to promote sustainable development in all its work.

The Planning and Compulsory Purchase Act (section 39) requires that the body producing a Local Development Plan must exercise that function with the objective of contributing to the achievement of sustainable development. The same also applies to the Assembly Government in producing the Wales Spatial Plan.

Those producing LDPs must have regard to national policies and guidance issued by the Assembly Government. National planning policy is aimed at setting the planning framework for sustainable development and is set out in Planning Policy Wales (and the PPW Companion Guide) and Minerals Planning Policy Wales, as elaborated through Technical Advice Notes, and Ministerial Interim Planning Policy Statements.

### 2.2 Soundness

The Act requires that an LDP is subject to independent examination to determine whether it is “sound”. *Local Development Plan Wales* (LDPW) identifies criteria and tests of soundness for LDPs. The Planning Inspectorate will shortly issue a separate Guide on assessing the soundness of LDPs<sup>9</sup>. Some material from the Planning Inspectorate Guide has been incorporated into this Manual.

The tests of soundness refer to the policy content of LDPs (tests of consistency, coherence and effectiveness) as well as the processes for LDP production (procedural tests) - see section 8.3.1. A strong evidence base and consultation process is fundamental. It is also essential to demonstrate the rationale behind plan policies and to assess outcomes.

<sup>8</sup> *Sustainable Development Action Plan 2004-2007*, Welsh Assembly Government, November 2004, page i

<sup>9</sup> *Guide to the Examination of Local Development Plans*, Planning Inspectorate, 2006. The full Guide, which gives advice on the tests of soundness and the examination, can be obtained from the Planning Inspectorate, Cathays Park, Cardiff, CF10 3NQ (Telephone: 02920 823892/821581)

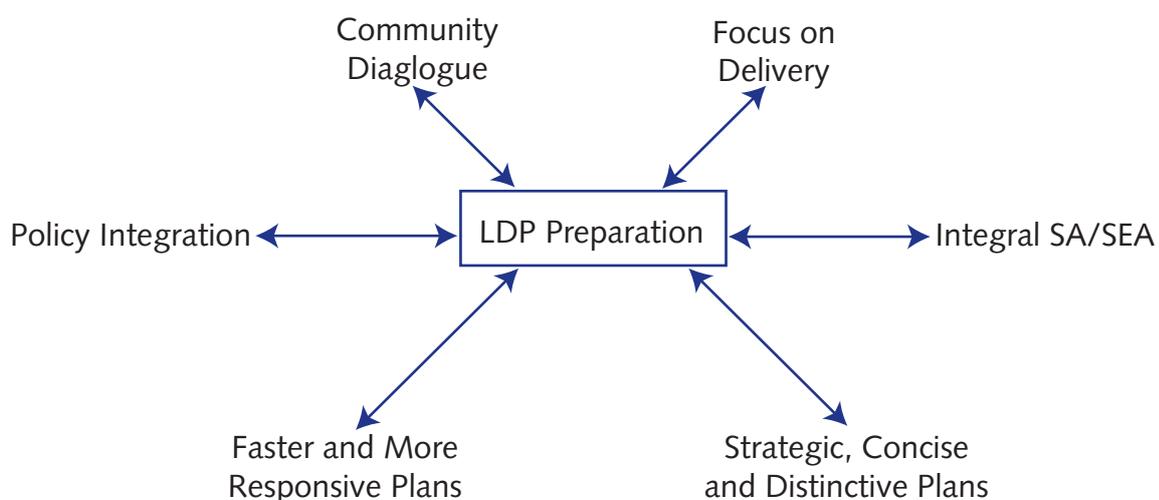
## 2.3 LDP Themes

The new LDP system aims to achieve the following objectives:

- **informing LDP production through Sustainability Appraisal, incorporating Strategic Environmental Assessment** (referred to in this Manual as SA), to bring together evidence and consider the long-term implications of strategy options and policies in LDPs;
- **basing LDP production on effective community involvement**, to consider a wide range of views, with the aim of building a wider consensus on the strategy and policies for LDPs;
- **ensuring policy integration** by producing LDPs that are internally consistent and integrated with other main policies and strategies at national, regional and local level (without unnecessary repetition);
- **delivering a faster and more responsive approach to plan-making**, with published timetables for preparation, fewer iterations of the plan before adoption, and regular strategic monitoring and review to enable plans to better reflect the changing circumstances in contemporary Wales; and
- **making plans that are more strategic, concise and distinctive** in setting out a strategy for how an area will develop and change, based on a robust understanding of interdependencies between places (within and across administrative boundaries) and drivers for change.

This section introduces each theme, identifying the main issues for LDP production which are relevant throughout the process. Part B relates these themes to the tasks and issues that will be considered at each stage in the LDP process.

**Figure 2.1: Key Themes in LDP Preparation**



### 2.3.1 Informing LDP production through Sustainability Appraisal, incorporating Strategic Environmental Assessment

A key requirement of the LDP system is that plan production is informed by Sustainability Appraisal, incorporating Strategic Environmental Assessment. There are distinct requirements in meeting the SEA Directive<sup>10</sup>, but the Assembly recommends that the requirements of both SA and SEA are satisfied through a single appraisal process. Further references to SA in this Manual should therefore be assumed to include SEA, unless stated explicitly. The basic requirements of this process are set out in LDP Wales.

Sustainability Appraisal, incorporating SEA, is an iterative process that identifies the likely significant effects of the plan in terms of economic, social and environmental considerations, and the extent to which the plan will achieve its objectives in terms of moving towards sustainable development. It provides an analytical tool and process to test the implications of spatial options and proposals. The process should be an **integral element of every stage of LDP production** (not a 'tick box' activity 'bolted on' at the end of the process).

The results of SA incorporating SEA will help to make the process of LDP preparation more **transparent** by providing the community with information about the implications of choices being made.

#### **Early consideration will need to be given to managing and resourcing the SA process.**

Each authority will need to customise its approach to undertaking SA, as there will be different issues in different areas. This approach should utilise skills, data and resources which are already available. This may be best achieved by working with in-house staff and resources provided by stakeholders. If consultants are used, it will be important to consider how and when they are needed and for their briefs and management to be framed accordingly.

An introduction to SA is given in Chapter 3 of this Manual, and advice on the main tasks and evidence required at each stage is set out in Chapters 4 to 9.

### 2.3.2 Basing LDP production on effective community involvement

A main objective of the LDP system is to improve the quality of stakeholder and community involvement in plan-making. Early and continuous community involvement is important identifying common ground and shared goals. It can also help identify contentious issues and conflicts at the earliest opportunity.

The main principles that underpin this process are outlined in LDP Wales, para 4.6.

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<sup>10</sup> European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, 27 June 2001, as implemented in Wales through Statutory Instrument 2004 No. 1656 The Environmental Assessment of Plans and Programmes Regulations (Wales), 2004, referred to in this document as 'the SEA Regulations'.

This approach provides for:

- a more robust evidence base, bringing together a range of data and intelligence from across the community, a wide range of organisations and local stakeholder perspectives;
- the involvement of the community in debating the LDP options, including the SA process;
- open debate,

where there are contentious decisions:

- a broad range of interests covering environmental, social and economic considerations and a transparent and well-communicated process of decision-making building commitment to implementation;
- strengthening integration between the LDP and the Community Strategy, the equivalent Management Plan in the National Parks, and with other statutory documents such as the Wales Spatial Plan, the Health, Social Care and Well Being Strategy and the Children and Young People Strategy.

The production of a **Community Involvement Scheme** (CIS) is required. This sets out how and when the community and stakeholders can engage with the LDP process. Advice on the preparation of the CIS is set out section 4.5 of this Manual.

It will be important over time to develop widespread commitment to the LDP production process (including SA) as a sound means of testing options. Approaches to building consensus must be realistic. In some contentious policy areas it may not be possible to secure widespread agreement, and LPAs will need to show local leadership. In seeking to achieve agreement, difficult policy decisions should not be avoided. If it proves impossible to reach consensus on the way forward and a decision has to be made by the planning authority, then it will help to justify the approach if reference can be made to the transparency of the process followed, the regard that has been had to the SA framework, and by demonstrating any local community benefits. If stakeholders do not agree with these decisions, they are able to understand why and how these decisions have been made, and accept the LDP process (including the examination) as a sound and legitimate means of addressing the issues.

Community involvement should be underpinned by equality principles (see para 4.12- 4.18 of LDP Wales). This should be based on strengthening the engagement of traditionally under-represented groups, including young people, Gypsies and Travellers, and other ethnic minority groups.

Managing community involvement can be resource-intensive. Local Planning authorities should be realistic in setting out an approach in the CIS that is commensurate with the available local authority resources. It should not impair the ability to deliver against the general timetable for LDP production but equally it needs to be recognised that investing time in early community engagement can save time and reduce problems later. It is important to focus on appropriate methods of community involvement, recognising different approaches are relevant in different circumstances and at different stages.

### 2.3.3 Ensuring Policy Integration

Policy integration is essential if LDPs are to build on and add value to other plans and strategies. This integration needs to happen both within the individual authorities as well as having regards to the national context, neighbouring authorities and the wider region/sub region. LDPs will set out a strategy with genuine statutory weight that can direct how other relevant policies should be delivered spatially.

The Wales Spatial Plan provides the overarching policy framework for the preparation of LDPs. Local planning authorities are required to have regard to both the vision and propositions set out in the document. Structures have been established across Wales to implement the Plan and to further develop the evidence base that underpins it, particularly at the area level. LPAs are represented on the area groups and should ensure that they consider both the current spatial plan and emerging area work during LDP preparation.

Regional Transport Plans will be prepared by the Regional Transport or Consortia during the period 2006-2007. The introduction of these plans with regional coverage will require continuous dialogue between transport and land use planners during the preparation of both plans to ensure a two-way flow of ideas and information is maintained, and to ensure the integration of the development strategy and transport networks. This process will also be aided by the Wales Spatial Plan. A close working relationship between the Regional Consortia and the Wales Spatial Plan area groups has been established to ensure linkage between emerging transport plans and the agreed spatial priorities for each spatial plan area.

The proposed local government plan rationalisation exercise by the Assembly Government and the Welsh Local Government Association<sup>11</sup> indicates that LDPs will be one of the four main strategies that local authorities are required to produce. The challenge is for LDPs to provide the land use expression of the shared vision of how an area will develop, change or be conserved.

The relationship with the statutory Community Strategy is particularly important. Community Strategies provide the overarching strategic policy framework for the local authority area. In National Parks, this function is provided by the National Park Management Plan (NPMP). Those responsible for LDP production should engage with those producing Community Strategies and NPMPs, and in particular with the Local Strategic Partnerships. Similarly those responsible for preparing Community Strategies or National Park Management Plans should seek to ensure an integrated process to maximise the effectiveness of community and stakeholder involvement.

It is essential that LDP production takes into account the impact of the plan on equality and social inclusion<sup>12</sup>. This should be integral to the SA process.

<sup>11</sup> Announcement in April 2005, consultation in 2005; it is envisaged that the new framework will be in place by 2008.

<sup>12</sup> Diversity & Equality in Planning - A good practice guide, January 2005, ODPM.

Integration of policies, plans and strategies does not require unnecessary repetition of those policies within an LDP. The important process is to consider the **compatibility between various objectives**. Use of a matrix of objectives is one of the simplest tools to test compatibility with other strategies. This would set out the objectives from other plans and strategies and cross checks them against LDP objectives. This should identify gaps, possible synergies or conflicts which would need discussion with the relevant strategy promoters. If there are conflicts or gaps between the Community Strategy and the LDP 'vision', the Community Strategy Partnership should be engaged in discussions about consistency between them.

The challenge is to build on and add value to other strategies and policies rather than to undermine or duplicate them. In some cases, explicit cross references will be appropriate. The LDP introduction should acknowledge this.

It is important to have regard to the likely availability of resources for implementing the LDP policies and strategies. LDP production should be based on a broad understanding of likely resource availability, informed by the strategic plans of relevant public bodies, an assessment of likely patterns of private sector investment and an assessment of the contribution of the charitable and voluntary sector. An understanding of these should be established as part of the evidence base for the plan (see Chapter 5).

An example of a method for ensuring policy integration and realistic delivery is the **Policy Gateway Integration Tool** developed by the Assembly Government for assessing its own policy development.

The Policy Gateway Integration Tool aims to:

- integrate high level cross-cutting themes of sustainable development, equality and social inclusion into policy making;
- promote the integration of different strategic-level policy making exercises across a wide range of policy areas;
- focus on delivery, (i.e. consider how policies will be implemented), to ensure implementation is considered when policy is being developed; and
- signpost the need for more detailed assessment on particular issues.

The Integration Tool provides the opportunity for discussion between policy makers, possibly through workshop sessions, ensuring the connections are made and gaps filled between different policy documents. The Tool is most effective when used early in the policy development process, and applied at appropriate stages as policy develops.

The application of the Integration Tool is structured around:

- questions relating to the remit, rationale, implementation and monitoring of the policy; and
- an assessment matrix to identify the contribution the policy makes to strategic objectives, and to consider whether/how the policy could be improved in this respect.
- Further details of the Policy Gateway Integration tool are available from the Assembly Government.

#### **2.3.4 Delivering a Faster and More Responsive Approach to Plan Making**

An important aim of the LDP system is to produce plans that are easier to understand, responsive to change, and are monitored and updated regularly. This involves:

- project management tools incorporating risk assessment, based around a committed timetable set out in the Delivery Agreement (see Chapter 4), to ensure plan making is relevant, timely and results in up-to-date policy;
- strengthening the evidence base and monitoring frameworks to ensure that plans are relevant and up to date in terms of changing national policy and changes on the ground, and also to ensure spatial choices are more informed (see Chapters 5 and 9);
- enhanced community and stakeholder involvement, at earlier stages (see Chapters 3 to 6);
- focusing strategy and policy on main areas of change and protection;
- flexibility such that the delivery of key strategic policy is not jeopardised by changes in circumstances at a later date, e.g. economic cycles; and
- binding Inspectors' reports and a streamlined Adoption process (see Chapter 8).

#### **2.3.5 Making Plans That are More Strategic, Concise and Distinctive**

An important aim of the LDP system is to produce plans that are more strategic, concise and distinctive. This is achieved by:

- producing a strategy that is specific and distinctive to the area and the challenges it faces;
- ensuring LDPs are integrated with, add value to and assist the delivery of national policy, key local policies and strategies in other policy areas (but do not duplicate them unnecessarily);
- basing plans on a clear vision agreed by the community and stakeholders, setting out clearly and concisely how places are planned to develop, change, or be conserved (Chapters 5 and 6 provide advice on developing and testing the LDP strategy);

- emphasising area specific policies only in areas of change or protection, and where appropriate, allowing for area detail to be included in SPG; and
- producing more concise plans, eliminating overly specific and detailed policies and unnecessary repetition of national policy (see sections 7.3.3 and 9.4 of this Manual).

## **2.4 Focusing on delivery**

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A main principle for LDPs, set out in paragraph 1.1 of *LDP Wales*, is to “act as an effective tool for the delivery of sustainable development”. The deliverability of the plan is also covered by the tests of soundness.

This focus on delivery has important implications for the content of plans and the way that they are produced. Delivery should not be an afterthought but needs to be considered throughout the LDP production process.

Implementation of the LDP will be to a significant extent dependent on the actions of others. Hence one of the purposes of building consensus with stakeholders is to secure widespread commitment to the strategy from the organisations and groups through which the strategy will need to be delivered. Similarly, seeking integration with other strategies is important to ensure the LDP reflects relevant delivery considerations of bodies such as key public services or utilities providers.

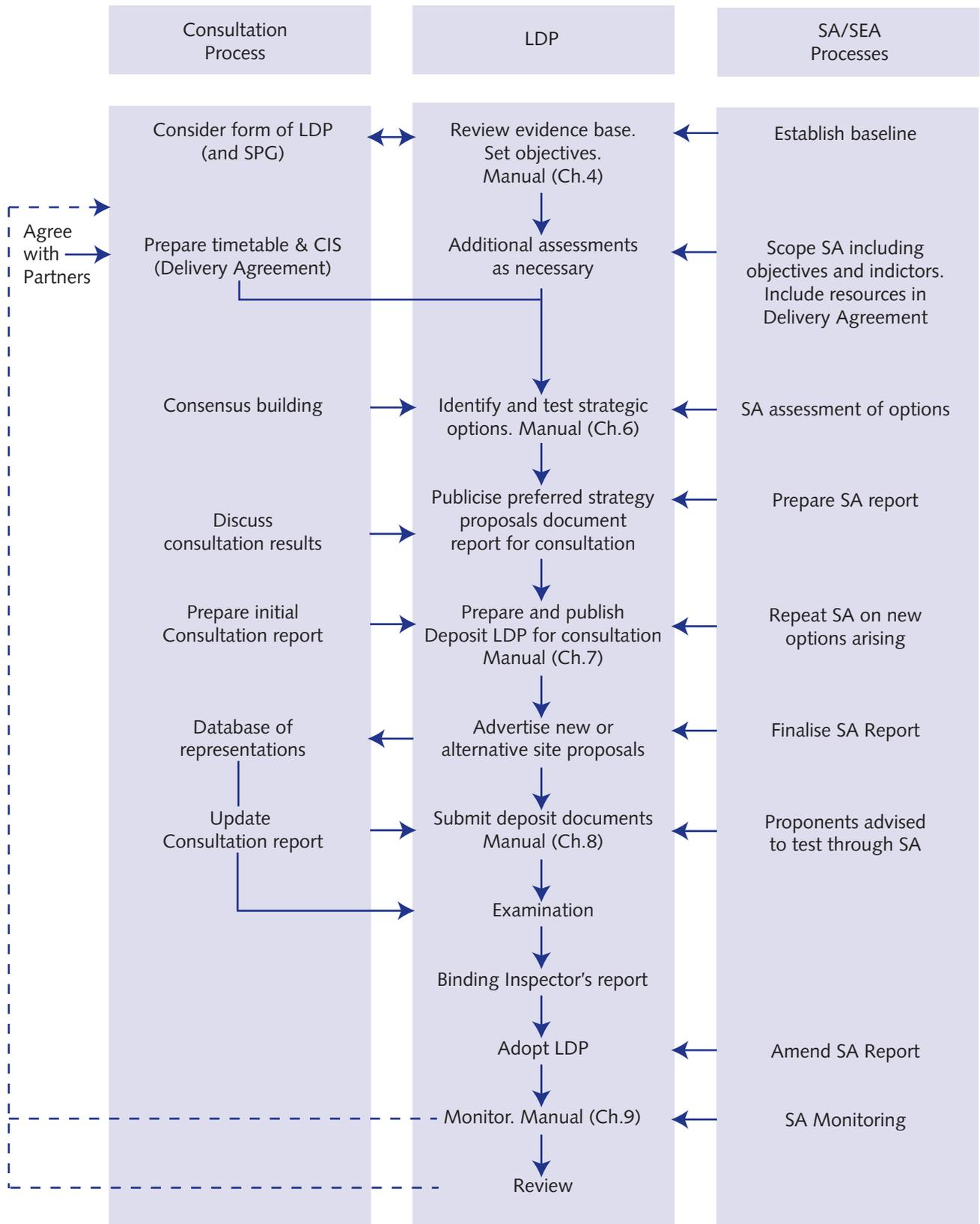
An important role for the evidence gathering stage is to take account of market realities. In testing options and selecting a preferred strategy, account must also be taken of the likely scope for public sector intervention, including the levels of public resources likely to be available.

Where possible, LDP policies should be written in such a way so as to enable this implementation to be monitored. Key delivery indicators are described in Section 9.5.

# Part B

## Introduction to Sustainability Appraisal (SA) Incorporating Strategic Environmental Assessment (SEA)

**Figure 3.1: Main Stages of the LDP Preparation Process**



N.B. Plan preparation, SA and consultation should be undertaken in an integrated manner.



## 3 Introduction to Sustainability Appraisal (SA) Incorporating Strategic Environmental Assessment (SEA)

### 3.1 Introduction

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Figure 3.1 provides a summary of the main steps involved in preparing an LDP and relates these to Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA), processes that need to take place in parallel. The aim of SEA is to improve the environmental performance of the plan. The use of the term SA in this Manual, incorporates SEA.

A brief background on SA is given below, with a more detailed description of tasks provided within each of the following chapters which describe each main stage in LDP preparation. A summary is also provided of the way in which consultation processes can be integrated to cover both the LDP and its associated SA.

### 3.2 Background

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Sustainability Appraisal for LDPs is mandatory under the Planning and Compulsory Purchase Act, 2004. SA covers social and economic effects of the LDP as well as environmental ones. First and replacement LPDs must be subject to an environmental assessment (SEA Regulations 5 (2) and 5 (4)). The Assembly Government has decided that for development plans the requirements of the SEA Directive are best incorporated into Sustainability Appraisal. The full text of the Directive on the environmental assessment of plans and programmes is given at the end of the joint administrations' A Practical Guide to the Strategic Environmental Assessment Directive, September 2005, together with the answers to frequently asked questions. Those aspects that are specifically required for SEA should be highlighted within a common reporting structure.

This Manual uses the terminology of SA to signify this integrated approach, except where specific aspects of SEA legislation are highlighted.

This integrated SA process can also encompass other types of plan appraisal. For example equality, disability and Welsh language implications should be considered as part of the social impacts of the plan.

This Manual provides information to assist local planning authorities to comply with the SEA Regulations and hence the Directive. It is not however intended as a legal interpretation of the Directive. Those undertaking an SA incorporating SEA must satisfy themselves in each case, by obtaining legal advice if necessary, that the requirements of the Directive have been met.

On 20 October 2005, the ECJ (Case C-6/04 - Commission v. United Kingdom) rules that the UK had failed to adequately transpose the provisions of Article 6(3) and (4) of the Habitat Directive into national legislation as regards the appropriate assessment requirements for land use plans.

Draft amending regulations to the Conservation (Natural Habitats &c.) (England & Wales) Regulations 2005 will be subject to consultation in Spring 2006. Guidance for local planning authorities in Wales will be provided in a revised TAN 5 - Nature Conservation and Planning. It is intended that appropriate assessment will be integrated with development plan Sustainability Appraisal, incorporating SEA. For further information, contact the Planning Division, Welsh Assembly Government.

### **3.3 Possible Exemptions from SEA**

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The requirement for an SEA may apply to SPG even though it is non-statutory. Paragraphs 2.5 and 2.6 and Fig: 2 of the UK Practical Guide to the SEA Directive should be used to help determine possible exemptions from the Directive on a case by case basis. Further guidance may be issued to include in the manual when there is more experience of the application of the Directive to SPG.

Where SEA is deemed to apply to SPG, SEA Regulation 9(1) requires the LPA to follow a screening procedure by consulting the three environmental consultation bodies and making a determination on whether or not there are likely to be significant environmental effects. Under Regulation 11 of the SEA Regulations, within 28 days of making a determination the LPA must make it available to the public together with a statement of the reasons for reaching it and must also notify the three environmental consultation bodies.

Where the LPA determines that there are likely to be significant environmental effects arising from the SPG, the SEA will proceed in the normal way to the scoping report stage. Where it determines that there are unlikely to be any such effects, the LPA is advised to also include the determination and statement of reasons during the consultation period of the draft SPG.

### **3.4 Stages**

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More detailed guidance on conducting an integrated SA is given in the ODPM guide Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents (November 2005). This defines five main stages in conducting an SA:

- Stage A - setting the context and objectives, establishing the baseline and deciding on the scope;
- Stage B - developing and refining options and assessing effects;
- Stage C - preparing the Sustainability Appraisal Report;
- Stage D - consulting on the preferred option of the development plan and SA Report; and
- Stage E - monitoring significant effects of implementing the development plan.

A series of component tasks is identified within each of these five stages in the ODPM Guide, Chapter 3 relating to Local Development Documents. This Manual gives cross-references to these tasks where the guidance on appraising English Local Development Documents applies equally to the Welsh development plan system.

However some additional tasks and reordering are necessary to suit the Welsh system.

The relationship between the LDP stages, and SA tasks described in the ODPM Guide, is shown on Table 3.1 below. Where tasks broadly match those relevant to England, the numbering system used in the ODPM SA Guide is given in brackets for ease of cross-reference. The titles for some tasks have been amended slightly for clarification. Because of the separate Deposit and Submission stages in Wales additional SA Report updating has been included.

**Table 3.1: The Relationship between LDP Stages and SA Tasks**

LDP Stage	SA Tasks (task reference numbers in brackets are to the ODPM SA Guide, Nov 2005)	Where covered in this Manual
Delivery Agreement	Consider the stages of SA work in the Timetable.	4.4
	Identify consultation processes for SA in the CIS	4.5
Evidence Gathering & Objectives	Screening	5.6.1
	Review other relevant policies, plans and programmes, and sustainability objectives (Task A1)	5.6.2
	Collect baseline and other information (Task A2)	5.6.3
	Identify sustainability issues and problems (Task A3)	5.6.4
	Develop the SA framework (Task A4)	5.6.5
	Prepare and consult on the SA scoping report (Task A5)	5.6.6
	Test LDP objectives against the SA framework (Task B1)	5.6.7
Strategic Options and Preferred Strategy	Develop the LDP options (Task B2)	6.3
	Predict the effects of the LDP options (Task B3)	6.4.1
	Evaluate the effects of the LDP options (Task B4)	6.4.2
	Consider ways of mitigating adverse effects and maximising beneficial effects (Task B5)	6.4.3
	Propose measures to monitor the significant effects of implementing the LDP (Task B6)	6.4.4
	Prepare the SA report (Task C1)	6.5.3
	Public consultation on the LDP preferred strategy and SA report	6.6.1
	Appraise significant changes from consultation (Task D2(i))	6.6.2

LDP Stage	SA Tasks (task reference numbers in brackets are to the ODPM SA Guide, Nov 2005)	Where covered in this Manual
LDP Preparation and Deposit	Update the SA Report	7.3.6, 7.6.2
	Public consultation on the Deposit LDP and SA Report (Task D1)	7.4
Submission, Examination & Adoption	Inspector's role at examination (Task D2(ii))	8.4.4
	Adoption statement and finalised SA Report (Task D3)	8.5.2
Monitoring and Review	Finalise aims and methods for monitoring (Task E1)	9.5.4
	Respond to adverse effects (Task E2)	9.5.4

Annex A provides a useful quality assurance checklist for practitioners embarking upon undertaking an SA as an integral part of LDP preparation. This should also be used as a check before submitting the deposit LDP and SA Report to the Assembly Government.

### 3.5 Consultation

The main consultation requirements in respect of LDP preparation are set out in the LDP Regulations. There are two main phases, namely:

- a participation phase where structured discussions with statutory consultees and representative groups are particularly relevant; and
- a consultation phase inviting public comment on published reports for 2 stages.

There are specific requirements for the involvement of the Environmental consultation bodies (see SEA Regulations 10, 11, 12, 13, and 16), and this is particularly important in the early stages of undertaking SA.

The SEA Directive identifies three main parties that must be consulted when carrying out a Strategic Environmental Assessment. These are set out below.

- "Authorities with environmental responsibility", otherwise known as the Environmental consultation bodies (Articles 5.4, 6.1 and 6.2). In Wales these are the Countryside Council for Wales (CCW), Environment Agency (Wales) (EA) and Cadw (now part of the Assembly Government).
- "The public", who should be given an early and effective opportunity to express their opinion on the draft plan and the accompanying Environmental Report before its adoption (Articles 6.1, 6.2). The public consultees are defined in SEA Regulation 13(2(b)). This will be achieved through the two public consultation stages, namely on the Preferred Strategy Proposals Document and SA Report, and the Deposit LDP and updated SA Report.

- Other EU Member States, where the plan or programme is likely to have significant effects on the environment of that country (Article 7, and SEA Regulations 14 and 15). Such effects from LDPs are expected to arise only in exceptional cases, although it would be common practice to consult with any adjoining English statutory interests (local authorities, equivalent Environmental consultation bodies, the Regional Assembly, the Government Office).

The role of the Environmental consultation bodies is particularly important in meeting the requirements of SEA. The Environmental consultation bodies have outlined on their web sites how and in what timescale they will endeavour to respond to an authority's requests for comments at the four consultation stages prescribed in the SEA Directive and Regulations, namely:

- Screening (Article 3(6) and SEA Regulation 11);
- Scoping (Article 5(4) and SEA Regulation 12);
- Reporting (Article 6(2) and SEA Regulation 13); and
- Decision to adopt (Article 9(1) and SEA Regulation 16).

The Environmental consultation bodies focus their efforts at scoping stage. At the reporting stage they will normally check on the extent to which any earlier advice has been taken into account. Other useful tips on meeting the requirements of the SEA Directive are included on CCW and EA's websites.

Table 3.2 links the LDP consultation processes with those relevant to the SA process. Cross-references are given to the relevant sections of this Manual containing a more detailed description, and to the relevant SA tasks in the ODPM Sustainability Appraisal Guide.

**Table 3.2: LDP Consultation Requirements and Main Stages of SA Consultation**

LDP Stage & Regs	LDP Consultation	SA Consultation
Delivery Agreement (Regs 5 & 7)		Discuss Timetable and CIS with the Environmental consultation bodies. Consider setting up a technical reference group to oversee the SA work.
Evidence Gathering & Objectives (Pre Reg14)	Involve community groups, social, economic and environmental interests as the LPA considers appropriate (sections 5.3 - 5.5).	Early involvement of the Environmental consultation bodies. Consult on the SA Scoping Report (Task A5). 5 week consultation period.

LDP Stage & Regs	LDP Consultation	SA Consultation
Strategic Options and Preferred Strategy Pre-Deposit Participation (Reg14)	Involve the specific LDP consultation bodies and general consultation bodies (section 6.5). Suggest possible methods of public involvement such as focus groups etc and making info available on the web.	Continued involvement of technical reference group, which is likely to include some or all of the Environmental consultation bodies.
Pre-Deposit Public Consultation (Reg15/16)	6 week statutory consultation period. Use website. Consult specific consultation bodies and general consultation bodies. Advertisement.	Public consultation on the LDP Preferred Strategy and Initial SA Report (which includes information on option assessment).
LDP Preparation and Deposit	Formal deposit of draft LDP. 6 week statutory consultation period. Use website. Consult specific consultation bodies and general consultation bodies. Advertisement (section 7.4).	Formal deposit of SA Report. Public consultation on the draft LDP and SA Report (Task D1).
Site Allocation Representations (Regs 20 & 21)	Advertise (section 7.4) 6 week statutory consultation period. Use web site. Make copies available.	
Submission, Examination and Adoption (Reg 22)	Submit LDP and SA Report (sections 7.6 and 8.3). Independent examination by a Planning Inspector (section 8.4). Copies of LDP, SA Report & adoption statement to be made available to Specific consultation bodies and General consultation bodies etc (section 8.5).	Making decisions and providing information (Task D3). Publish SA Report and adoption statement.
Monitoring and Review (Reg 37)	Submit and publish on website Annual Monitoring Report (section 9.4).	



## 4 Delivery Agreement

### 4.1 Role of the Delivery Agreement

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The Delivery Agreement is a public statement that contains a Timetable for LDP production (the local authority's project plan) and the Community Involvement Scheme (CIS), setting out how and when stakeholders and the community can contribute to preparing the LDP and its SA.

Local planning authorities will need to think through the aims, scope and priorities for the LDP and the most effective forms of involvement, with emphasis on structured dialogue with key stakeholders about the evidence and options.

Once agreed, the Delivery Agreement commits the local authority to produce its LDP according to the stated timescales and consultation processes. Any deviations from the agreed Timetable and CIS (not agreed previously by the Assembly Government and published) will potentially be examined by the Inspector.

The Delivery Agreement is an essential project management tool for the authority, and it will:

- underline the importance of the LDP within the authority;
- set out the realistic limit of what the authority can reasonably do within time and resources, i.e. it will frame expectations;
- clarify the scope and influence of the plan, explaining opportunities that it will provide for local discretion as well as the need to respect national policy and statutory designations etc;
- secure budget commitment and staff resources;
- allow co-ordination with the preparation of other strategies and documents;
- set the framework for the Sustainability Appraisal of the LDP, in terms of resources and management of the SA process; and
- alert the community to the process of involvement in the creation of the LDP, and outlines generally how they can contribute.

Some of the tasks set out in Chapter 5 (Evidence Gathering and Objectives) may need to be undertaken at the same time as preparing the Delivery Agreement.

## 4.2 Consultation on the Delivery Agreement

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LDP Wales and the LDP Regulations outline the minimal requirement for engaging others in the formulation of the Delivery Agreement.

Throughout the preparation of the Delivery Agreement it is recommended that on-going discussions are held with the Assembly Government<sup>13</sup>, and with other statutory consultees, so that roles and responsibilities are understood and realistic timetables are developed.

Local planning authorities should consider the most appropriate level and form of consultation on their Delivery Agreement to suit the local context.

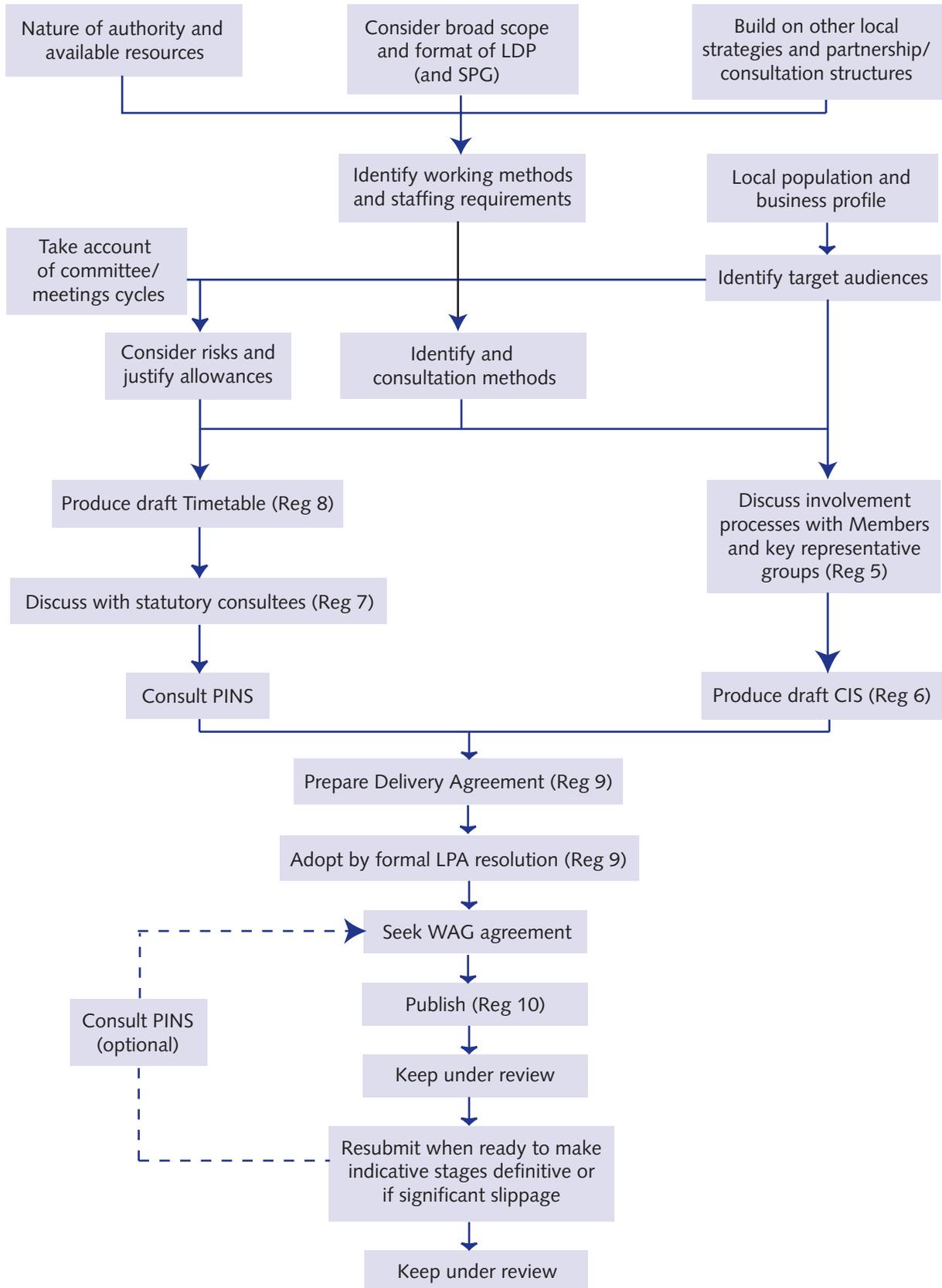
An LPA may choose to consult on their draft Delivery Agreement with adjacent local authorities and local or national interest groups. The requirement is for such local interests to have been engaged in its preparation, as the Authority consider appropriate (Regulation 5).

The form and scope of consultation on the Delivery Agreement should be proportionate and timely and not delay plan preparation.

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<sup>13</sup> When draft Delivery Agreements are forwarded for informal comment to the Assembly Government, four copies should normally be provided.

Figure 4.2: The Delivery Agreement



### 4.3 LDP Themes

Informing LDP production through SA	Importance of considering and setting out in timetable the main tasks, evidence and resources required in relation to the SA. The DA should specify the resource implications. Important to assess the tasks that need to be undertaken, and the resources and expertise required against those available in-house. Section 4.4
Stakeholder and community dialogue	Opportunities for involving the community and stakeholders and seeking greater consensus should be built into the LDP preparation process Sections 4.4.2, 4.5
Policy integration	Consider how the LDP timetable relates to the timetables for other policy and strategy exercises. Consider the scope for dovetailing tasks with key local partnerships. Sections 4.2
Faster and more responsive plan making	Practical issues relating to the timetable set out in 4.4. As DAs are rolled forward, it will be important to build in the annual monitoring cycle as a key influence on future priorities. Section 4.6.2
More strategic, concise and distinctive plan making	Importance of thinking about plan content, use of SPG at this early stage. Section 4.4.2

### 4.4 Timetable - Practical Issues in its Preparation

#### 4.4.1 Ensuring a realistic timetable and managing risk

Definite start and end dates should be identified for those stages prior to the deposit of the LDP. Until resubmission of the DA, indicative timings can be used for the post deposit stages. There are many factors that need to be taken into account in estimating these timings, as discussed below; of overriding importance is the need to be **realistic** about what can be achieved within particular timescales and with the resources available.

There is no standard prescribed timetable applicable to all plans across Wales. If the recommended principles and processes are followed, LDPs should be able to be completed in 4 years. This should ensure that consultees stay engaged and minimise the number of contextual changes. Sufficient time for participation must be factored into the timetable.

The Planning Inspectorate has committed to deliver the Inspector's binding report 12 months from submission of the Deposit LDP to the Assembly Government.

#### 4.4.2 Considering factors that might influence the timetable

There are various aspects to consider before a Timetable is produced:

**Member decision taking:** A major influence on any timetable is the way in which Member decision taking will be organised. For example, using a Members' sub group or a Cabinet Member to sign off intermediate stages of plan preparation will provide flexibility. Where draft documents need to be approved by a full Executive or Council, appropriate provision needs to be made for relevant cycles. Election periods and any subsequent training of new Members should also be taken into account. Similarly, any anticipated internal restructuring should also be taken into account.

**Integration with other strategies:** Authorities should consider how LDP preparation will relate to the timetables for preparing other regional or local strategies. Targeted discussions should be held with these policy-making partners, given that the LDP may be one of the means of delivering these strategies (and vice versa). Account should be taken of the meeting cycles of key local partnerships in scheduling dialogue and feedback at milestone stages in LDP preparation. It may be helpful to present the timetables for other key strategies alongside an outline of the LDP timetable.

There may be scope for dovetailing tasks e.g. participation held jointly with updating the Community Strategy or NPMP.

Time should be built into the programme for seeking feedback from policy-making partners. This could include some time for the nominated contact to get reactions from colleagues within that organisation. These contacts will need to organise appropriate delegation to engage effectively in discussions regarding the LDP National Park Action Plan.

**Broad LDP content:** An understanding of the broad scope and format of the LDP should be developed before estimating a timetable for its preparation. Given that local authorities are not starting from scratch, it is useful to review the existing plan as part of this process, including:

- its status and extent to which it is up-to-date;
- its consistency with national planning policy and EU Directives;
- its relationship with the Wales Spatial Plan; other relevant national strategies; the Community Strategy/NP Management Plan, Regional Transport Plan, and other area strategies; and
- how well it promotes and delivers sustainable development.

**The need for key SPG:** The need to review or add key SPG should be part of the consideration of the form of the LDP and should, where possible, be reflected in the Timetable. The aim of producing succinct LDPs (see section 7.3.3 of this Manual) means that new SPG may be necessary to support the plan strategy or policies, or to provide more detailed guidance on major site allocations.

**LDP working methods:** A view should be formed on how the LDP will be produced. The following factors should be considered when programming the LDP production process:

- the time allowed for the main technical studies required to develop a robust evidence base, and who will undertake this work;
- joint work with an adjoining authority or regional grouping, e.g. information gathering/monitoring;
- the time required for translations, where applicable; and
- the type and level of community involvement.

**SA working methods:** early consideration should also be given to:

- how the SA work is to be organised given resources and skills available;
- the time needed to supplement in-house resources or commission and brief consultants where necessary;
- the availability of baseline information within and outside the LPA and, when necessary, the need to supplement it;
- the appraisal methods to be used and any additional assessments needed (e.g. disability, health and Welsh language assessments); and
- the statutory consultation time for SEA and the capacity and timescales necessary for inputs from the Environmental consultation bodies and other relevant organisations.

**Resources:** Having identified the process and general requirements for the LDP and SA, discussions should be undertaken with policy partners and local authority colleagues to secure an appropriate level of resources to form an LDP team, and to undertake the SA or supervise the work of consultants. Consideration should be given to the need for additional resources to deal with any anticipated peaks in workload, e.g. administrative staff for cataloguing representations, and professional staff for the examination. It may be appropriate to allocate staff with expertise in public consultation to help during intensive periods of community involvement, and/or second staff into the local authority from external organisations. The estimated cost of the examination, including for the Inspector and Programme Officer (see section 8.4.1), needs to be incorporated in the authority's budget.

#### 4.4.3 Managing Risk

Authorities should consider including a note on risk assessment as an appendix to their Delivery Agreement.

Areas of risk and/or uncertainty should be identified in any programme, and contingency arrangements considered to keep the plan preparation on track. It is sensible to build in a level of tolerance within the dates given, e.g. using 3 month blocks. This provides a margin for error if for example a critical cabinet or committee meeting is missed, or local elections alter policy directions.

The risks associated with staff turnover, particularly where an LDP team is small, also need to be considered, as do those associated with the capacity of consultation bodies to cope with responses where several plans are being prepared in one locality.

Each authority needs to suggest a level of tolerance related to their own circumstances and decision-making processes, and agree it with the Assembly Government. This would provide the maximum length of slippage which would be allowable, before triggering the need for a formal change in the agreed Timetable.

#### 4.4.4 Preparing the Timetable

This section sets out the **sequence** of main tasks that need to be completed in preparing the timetable.

**Translate stages into a timeline format.** Information about the timing of different stages could be produced in Gantt chart format, with a final column giving information about resources committed. Project management software (such as Microsoft Project) may be useful.

Although full information should be provided to the Assembly Government about the numbers of staff and financial costs committed to LDP preparation, only the former is needed for the published version. One way of handling this would be to include financial information in a business plan annexe. Alternatively an **executive summary** of the full DA could be used as the document for publication and wider circulation.

**Discuss the programme with key policy-making partners and statutory consultees.** This ensures that LDP preparation is integrated with the timescales envisaged for preparing other associated strategies, allowing any economies of scale to be explored, e.g. joint consultation on a major development proposal. It also warns agencies and partners when a contribution will be expected from them, allowing them the chance to programme this work, and consider whether any of their staff could assist in the preparation. It may be appropriate for the timetable to highlight the desirability of early submissions of potential development sites; these should be encouraged at the evidence gathering stage.

**Consult the Planning Inspectorate.** This allows a check to be made on the likely availability of an Inspector to examine the LDP, and allows the Planning Inspectorate to plan their workload. It is essential when indicative stages are resubmitted as definitive. It also provides a check on whether sufficient time has been allowed for the various pre and post examination periods.

Subsequent finalisation and submission stages are covered in section 4.6.

## 4.5 Community Involvement Scheme - Practical Issues in its Preparation

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### 4.5.1 Initial considerations

A key objective of the LDP system is to seek greater consensus and strengthen community involvement. Its preparation offers the opportunity to rethink ways of engaging a full spectrum of the community in strategic issues, and to seek involvement as early in the LDP preparation process as possible.

Structured discussions are favoured in the development of the vision, objectives and options (see section 3.3) so that there is a realistic chance of an iterative dialogue within the time scale. Such discussions can usefully be led by internal or external facilitators. This method should avoid raising expectations that cannot be met and hence lead to disillusion, and avoid consultation fatigue. Setting up a **key stakeholder group** to act as a sounding board throughout the preparation process can be one way of achieving structured discussions. This group could be based on the authority's existing Community Strategy Partnership. Joint Liaison Groups could help in the early stages of plan preparation to identify effective means of engagement with voluntary and community interests.

It is beneficial to test public consultation results against those of a **control group** of the wider public, such as a citizens panel. Respondents to consultation exercises often have very strong views (generally objections) from a personal perspective. A control group on the other hand is structured to be representative of the wider community. Their views would form part of the evidence base for the plan.

### Issues for the CIS

Local authorities should address the following questions in preparing their CIS:

- **Upon what type of document is community involvement sought?** (e.g. LDP, SA and different types of SPG, with effort expended on involvement being proportionate to the document under preparation, and its stage of preparation);
- **How and when will community involvement be sought?** (differentiating between formal and informal methods, pro-active participation and consultation); and
- **Who will be involved?** (profiling the community and identifying the most appropriate range of interests, particularly hard-to-reach groups who do not usually participate in plan preparation).

There is no single right answer to these questions. The CIS must reflect local circumstances and recognise the limits of an authority's resources, and the limits to what engagement exercises can achieve. Expectations should not be raised beyond what can be delivered.

It is also necessary to pitch the document appropriately. Too general and it will not provide sufficient guidance to communities how and when they can contribute. Too prescriptive, and it may have resource implications for all parties involved, as well as the risk of becoming out-dated.

Before preparing the CIS, it is useful to consider any local **opportunities or barriers** to participation and general issues surrounding access to information. This includes the effects of population distribution and density, public transport accessibility as well as publication and photocopying costs. This may help to stimulate ideas about innovative ways of reaching different sectors of the community.

#### 4.5.2 Tasks in preparing the Community Involvement Scheme

This section sets out the sequence of main tasks for preparing a CIS.

**Identify target audiences.** Authorities should consider the profile of their community, identifying all sections and representative groups. They should then consider how these groups might be engaged in LDP preparation, especially those which tend to be under-represented. In many cases this may be through representatives of existing organised groups or through existing Council structures. For under-represented sections of the community, such as young people, Travellers and Gypsies, and other ethnic minority groups, it may be necessary to take expert advice on the best ways of engaging such groups.

**Assess resources available.** Managing participation can be a time-consuming task, and it is important that the LDP team is not overstretched. However, the importance of ensuring quality involvement, especially at the early stages of the LDP process, cannot be understated. Resources will need to be balanced with other production and management tasks. Authorities need to consider how they can make the most effective use of resources by e.g. employing external facilitators, combining capacity-building exercises with other initiatives like the Community Strategy, or developing a consultation database for the authority as a whole. Authorities should also build flexibility into their CIS to allow additional work to be undertaken if substantive issues emerge.

**Consider which methods of community involvement to deploy and when.** Most effort should be expended in setting out how the authority intends to seek consensus in a structured dialogue. This will include identifying the use that will be made of any local citizens panels or registers of interested people. LPAs should consider carefully the costs and benefits of the various methods. Those which most effectively provide more structured output will contribute most to the evidence base and soundness of the plan. Good practice advice is available from the RTPI<sup>14</sup>, and the Participation Cymru scheme<sup>15</sup>.

**Discuss involvement processes with Members and key representative groups.**

This should identify where there is likely to be a high level of interest, and limitations on the opportunities and ability of the community and stakeholders to get involved in LDP preparation. Such discussions are themselves useful to generate local interest, identify aspirations and priorities, and manage expectations in terms of involvement in the process. These interests may already be representatives on the existing Community Strategy partnership, in which case it would be efficient to use this body (see section 4.5.1).

14 Guidelines on Effective Community Involvement and Consultation (2005) RTPI and the Consultation Institute; RTPI Good Practice Note 1 [www.rtpi.org.uk](http://www.rtpi.org.uk)

15 Further details are available from the Welsh Council for Voluntary Action website [http://www.wcva.org.uk/content/policy/index.cfm?sub=4&display\\_sitetextid=129](http://www.wcva.org.uk/content/policy/index.cfm?sub=4&display_sitetextid=129)

**Consider consultation methods to be used in the SA.** Agreement should be reached with the Environmental consultation bodies as to the most effective way of achieving their inputs. This could for example be through their involvement on a technical reference group to oversee the SA work. This would be in addition to the formal requirement through SEA Regulations to consult them at defined stages in the process. Consideration should also be given as to the best way of involving organisations representing economic and social interests.

**Identify commitments to reporting back.** This will vary, depending on the consultation method used. Where facilitated sessions have taken place with key stakeholders, a summary of findings and action points should be circulated to participants within a reasonable period. Authorities should identify ways of disseminating information on the general progress being made in plan preparation, e.g. placing newspaper articles, keeping their website up to date.

Authorities should set out minimum standards for acknowledging written comments (including e-mails, petitions and circular letters). It would also be helpful to include in this letter information on the next stages of the process. Formal representations at the deposit stage must be publicly available at LPA offices and details of where they can be inspected posted on their web site in accordance with Regulations 19 in respect of the deposit plan and 21 in respect of site allocation representations (see section 7.5).

Authorities should also incorporate the means of community involvement in preparing different types of SPG (topic-specific, development briefs or design guides).

Guidance on incorporating the results of consultation into the Consultation Report is covered in sections 7.4 and 8.3.2

#### **4.5.3 Content and format of the CIS**

The content of the CIS is prescribed in LDP Regulation 6. The CIS should list all those general and specific consultation bodies to be involved in LDP preparation. These are identified in LDP Regulation 2.

Where there is a multiplicity of groups in an LPA, only the key groups need to be listed; other categories can be covered in a generic fashion. For LPAs with a smaller number of groups, specific groups should be named but with a caveat that relevant new groups may form after the CIS is drawn up.

The most straightforward way of setting out the intended involvement techniques is to use a table format. Each row can show a stage in the LDP process, with the columns showing the type of involvement methods, techniques, the timing and resourcing proposed. An example is as shown in Figure 4.4 below.

Figure 4.4: Extract from sample Community Involvement Scheme<sup>16</sup>

Stage in the document preparation process	Purpose	Timescale (when?)	Who? Possible community involvement	How? Consultation mechanism	Reporting mechanism	Staff resources additional to normal costs
Stage 6 - Reg 16(3)						
Assess representation received on all matters	To determine whether any improvements can be made to the plan policies proposals	Nov-06 - Jan-07	LDP Focus Group, SEA Focus Group	Working meeting of LDP and SEA focus groups	Outcome available in a public paper, integral part of SA, placed on internet	
Etc						

The suggested format for the CIS is as follows:

#### CIS overview:

- i. any authority corporate standards, standing community engagement arrangements e.g. citizens panels, Community Strategy or National Park Management Plan consultation arrangements, other authority strategy/plan consultation exercises that overlap or are relevant;
- ii. role of the LPA, officers, Executive and Members;
- iii. statement on approach to building consensus and access to the process by hard-to-reach groups;
- iv. expectations of statutory consultees, agencies, third parties/participants; and
- v. potential for joint working or use of existing or previous LA consultation exercises.

#### Seeking Consensus:

- i. detailed arrangements/programme for early dialogue aimed at seeking consensus and developing a sound deposit plan;
- ii. means of securing the participation of key stakeholders and a relevant cross section of community interests, including the generic composition of any citizens/stakeholder panels;
- iii. consultation arrangements for each plan stage, including an explanation of measures to improve access by hard-to-reach groups;

<sup>16</sup> Source: Pathfinder Group DA prepared by Caerphilly, July 2005. This is included as an example of a presentational technique.

- iv. generic format/structure of proposed events and exercises and output expected;
- v. feedback mechanisms for informing participants and consultees of outcomes and impact consultation; and
- vi. transparent mechanism for considering output and for using outcomes to inform draft plan/policies/guidance.

**Annexes to the CIS could include:**

- i. standard publicity arrangements including the authority's website;
- ii. report of any consultation on proposed CIS;
- iii. list of consultation/stakeholder bodies/groups;
- iv. list of partnerships relevant to the authority;
- v. profile and characteristics of community; and
- vi. an overview of risks and contingencies.

## **4.6 Delivery Agreement - Finalisation and Review**

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### **4.6.1 Submission**

Before submission, the Timetable and CIS should be brought together to form the Delivery Agreement. This should be approved by a resolution of the LPA in accordance with Regulation 9.

The Delivery Agreement submitted to the Assembly Government should be accompanied by a brief supporting commentary which identifies how the Assembly Government's assessment criteria have been met (see Annex B). When the Delivery Agreement is submitted to the Assembly Government, four copies should be provided.

The Delivery Agreement must be agreed by the Assembly Government, whose role is to ensure it is robust, realistic and covers the main plan preparation requirements. To publicise the agreed Delivery Agreement, copies should be made available for inspection at the principal offices of the LPA, and on its web site, in accordance with Regulation 10.

Four copies of the final published version of the Delivery Agreement should be sent to the Assembly Government.

### **4.6.2 Keeping the Delivery Agreement under review and Re-submission**

Authorities should endeavour to meet timetable targets. Only exceptionally should a revised timetable be considered (i.e. where there are factors beyond an authority's control and where it is outside the limit of tolerance set out in the Delivery Agreement (see section 4.4.3)).

After the LDP has reached deposit stage four copies of an updated timetable, turning the indicative timings into definitive timings for the remaining stages, should be submitted to the Assembly Government for agreement and when agreed, publicised.

A full mandatory review of the LDP must be commenced every four years, and a new Timetable for this, and a review of the CIS should be submitted at the start of the process. Where an annual review of progress indicates an earlier need for plan review, this should also be preceded by a new Timetable within 6 months of the decision to undertake an LDP review.

The Assembly Government will monitor LDP progress on a biannual basis, comparing progress against the Delivery Agreements.

#### 4.7 Summary of Tasks in Preparing the Delivery Agreement

LDP Stage	SA	SEA
Delivery Agreement (Timetable and CIS).	Develop and agree SA methodology and programme (see section 4.5).	Develop methodology (NB should be incorporated within SA provided the requirements of the SEA Regs are satisfied).





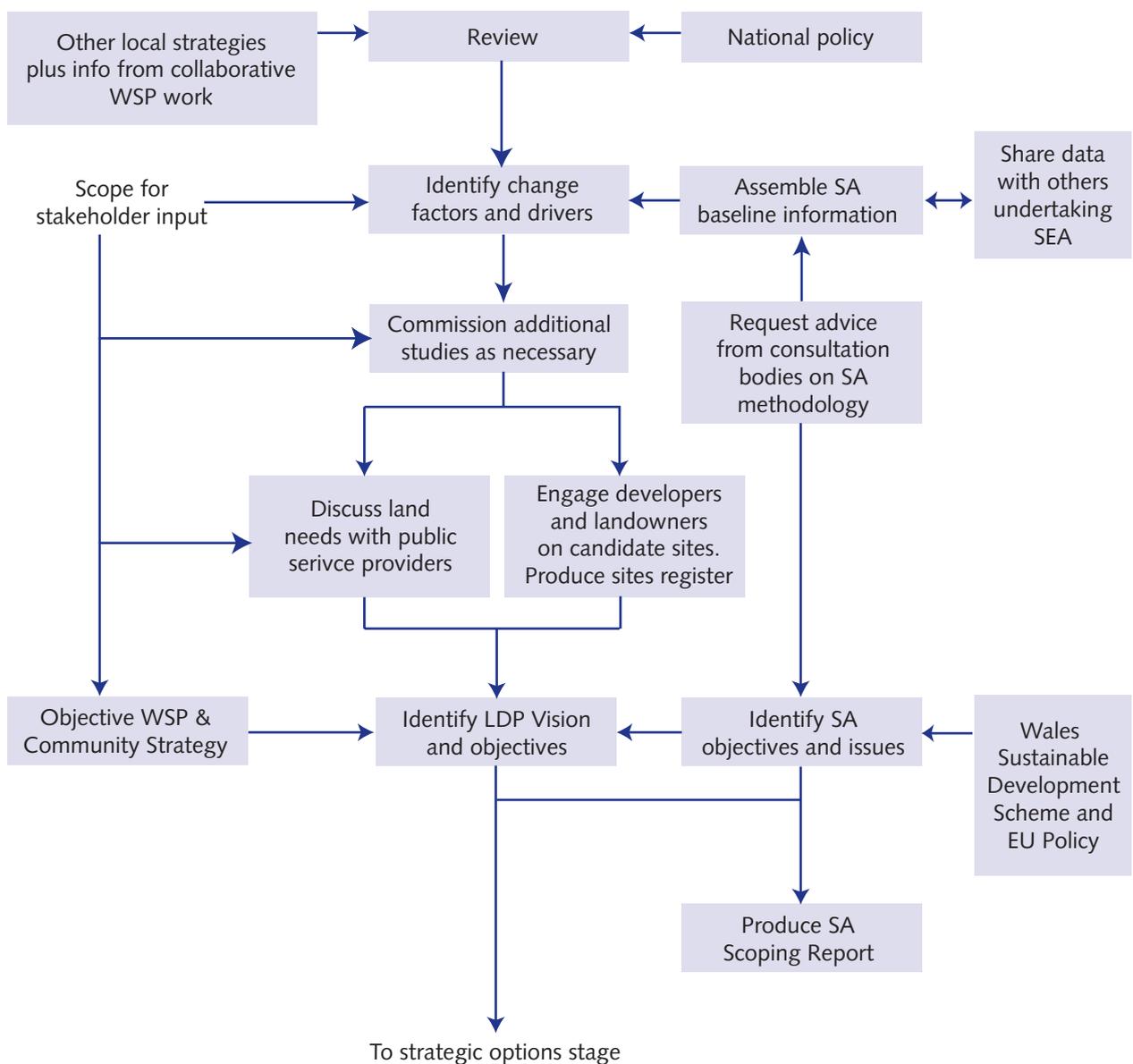
## 5 Evidence Gathering and Objectives

### 5.1 Introduction

Plan preparation is an iterative process. This chapter focuses on the preparatory tasks that should be undertaken in parallel with or immediately after preparing the Delivery Agreement.

These tasks are designed to understand the broader context, to review, and if necessary supplement data, in order to identify the main issues and objectives to be addressed in the LDP and to establish the foundations for the plan.

**Figure 5.1: Evidence Gathering and Objectives**



## 5.2 LDP Themes

Informing LDP production through SA	All LDPs will be subject to SA; screening may be possible for future alterations. Baseline work will inform both SA and LDP evidence base/issues identification. SEA consultation bodies should be involved in the preparation of the SA Scoping report. Section 5.6
Stakeholder and community dialogue	Sections 5.5 and 5.6.4
Policy integration	Consider the relevance of recent national policy (WSP; area or regional work, economic development; transport; waste; etc), the visions and objectives of National Park Plans and other local strategies (such as the Community Strategy; Regional Transport Plan; local BAP). Sections 5.3.1 and 5.3.3
Faster and more responsive plan making	Review existing intelligence and data early in the LDP preparation process. Use AMRs effectively. Section 5.3.2
More strategic, concise and distinctive plan making	Review local strategies to consolidate understanding of the local context, without losing strategic overview. Section 5.3.2

## 5.3 Review

Several components need to feed into the identification of key issues to be addressed in the LDP. These need to be recorded to form part of the evidence base on which the LDP is founded.

### 5.3.1 Reviewing the wider policy context

It is important to consider how national - and international - policy has changed since the extant development plan was prepared. Relevant considerations include:

- Have there been any new policy approaches adopted (e.g. Ministerial statements that supplement Planning Policy Wales, and Minerals Planning Policy Wales, emerging/new adopted Technical Advice Notes or EU Directives) and/or new designations (e.g. European or national wildlife sites) that need to be taken on board?

- What role does the Wales Spatial Plan foresee for this area? Are there any lessons from the area reference group work on housing, waste, transport etc?
- Are there any initiatives or broad locations arising from other Assembly Government work that need to be taken forward (e.g. Objective 1, Regeneration Strategies and action plans)?
- Are there any mechanisms or proposals within the [forthcoming] Environmental Strategy or Wales Transport Strategy that need to be reflected?
- The Regional Transport Plan may have initiatives that should be reflected in land-use policy, or transport proposals for which safeguarding measures are needed.
- Are there any proposals from the Wales Waste Strategy “Wise about Waste”, the Regional Waste Plan for which provision needs to be made?
- Are there any implications arising from the Regional Technical Assessment of Aggregates?
- Is there any guidance or useful data from other regional strategies and/or cross-border plans or work, for example regional regeneration strategies?

Reviewing other plans and programmes is an essential part of SA (see section 4.6.2).

The LDP should not replicate national policy (in PPW, MPPW and Ministerial Interim Planning Policy Statements (MIPPS)) unless it requires to be interpreted at the local level (see 7.3.3 on policy drafting). Further guidance on this matter is available in the Assembly Government’s PPW Companion Guide (2006).

### **5.3.2 Reviewing the local context**

The LDP policies and proposals should be founded on a thorough understanding of the area’s needs, opportunities and constraints (LDP Wales, para 4.3). This involves identifying economic, social and environmental changes since the previous plan was produced as well as the characteristics of the existing population. This information should be available in the future from the Annual Monitoring Report series. Account should also be taken of trends more readily apparent at the regional scale such as population movements and residential patterns. The SA baseline work (see section 5.6.3 below) will also provide inputs.

Existing planning policies should also be reviewed, for example the frequency of their use in development control decisions and/or their effectiveness at recent appeals.

### **5.3.3 Reviewing local strategies**

The Community Strategy (or National Park Management Plan), Health, Social Care and Wellbeing Strategy, Municipal Waste Strategy and Children and Young People Strategy should all be reviewed to identify whether there are proposals for new facilities specific to a particular locality. If so, these should be translated into land-use terms within the LDP to assist delivery of these other key local strategies.

The Municipal Waste Management Strategy is likely to identify new waste management facilities which require land provision within the LDP.

Similarly there may be aspects of the Local Biodiversity Action Plan, and local housing, economic development, tourism, health and safety, or regeneration strategies that could be assisted through land-use policies or proposals.

## **5.4 Developing the Evidence Base**

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### **5.4.1 Overview**

The requirement for soundness (see section 2.2) means that LDP production should be informed by robust evidence. Developing this evidence base is a continuous process, with the results of the Annual Monitoring Report providing a key input to future plans.

It is not recommended that an extensive and time consuming "Survey - Analysis" stage is required before LDP production can commence. Substantial information will already exist within an authority. Joint work with those preparing other strategies could be undertaken. Some new information can be collected and analysed fairly quickly. Key gaps should be addressed if possible, but further strengthening the evidence base can occur over the medium-term as part of subsequent plan reviews.

It is necessary to analyse information, and to identify main points with stakeholders in a way that informs discussions and decisions on strategic options for the LDP. Information gathered should form a basis for either or both the SA or the LDP (see section 5.6.3).

Key stakeholders and partners should consider the adequacy of the existing information and the scope of any additional assessments needed, or databases that need to be established.

It may be useful to structure the collection and analysis of information around the following themes:

- facts that assist in understanding current conditions in the area, including social, economic and environmental conditions, as well as opportunities and constraints and the current provision of service infrastructure - e.g. for sewerage or waste; (Baseline)
- past trends and future projections (longitudinal evidence), which will be valuable in identifying structural forces and the realistic scope to make a difference in the future; and
- current and future drivers for change and the potential for policy levers for intervention.

Systems should be set up for storing information assembled and allowing it to be presented in an accessible way. A spreadsheet format is the basic tool for most numerical data. A database format may be more appropriate for the suggested site register (see section 5.4.4). It will be necessary at the examination stage to draw on this evidence base to demonstrate that the plan is sound.

### **5.4.2 Identifying change drivers**

This involves considering how wider external factors may influence the future of the local area. This is important in informing the strategy and policies for responding to, managing, and where possible and appropriate, tackling key structural changes. Examples of external factors include manufacturing competitiveness, wider environmental trends (such as climate change), water resource implications, legislation driving change (e.g. in waste management), second home ownership and smaller household sizes.

Numerical projections may be available on some factors, e.g. employment trends. Where these relate to a wider geographical area it may be possible to infer the implications for the local area.

For other factors judgements will be necessary, e.g. the detailed impacts of climate change, possible changes to subsidies influencing the buoyancy of different farming sectors, future levels of teleworking, economic restructuring, changes in access to services, and changes in tourism trends.

This work should assist in getting an indication of the scale of likely growth pressures and/or the likely patterns and extent of decline in various sectors or locations.

### **5.4.3 Data and topic studies**

Authorities should review the adequacy of their knowledge in areas crucial to LDP preparation and the SA baseline (see section 5.6.3). Important topic areas include housing need and demand, the infill and redevelopment potential of urban areas, physical and social infrastructure capacity, retail projections, strategic flood risk areas, major hazard installations, heritage, landscape assessment, tourism and holiday accommodation, and minerals and waste and their interrelationships.

The Wales Spatial Plan CD ROM is a source of background data. General data are listed in Annexe C of this Manual.

Additional survey work may be necessary where there are gaps in knowledge of the existing situation and future demand and supply trends. This would be particularly relevant where the topic could significantly influence the fortunes of the local area, and its capacity to accommodate decline or growth. Survey work needs to be budgeted for as part of an ongoing programme, and covered in the Delivery Agreement.

**Information of particular relevance to be considered as part of the evidence base for the LDP are:**

Demand-side factors, including:

- demographic forecasts from the Assembly Government. Updated population projections taking account of 2001 Census information are available for groupings of local authorities. [Household projections at a similar spatial disaggregation are expected shortly.];
- housing market analysis, housing needs survey;
- economic projections including property market-based intelligence, past take-up rates, vacancies; and
- retail expenditure growth projections.

Supply-side factors, including:

- housing land availability, rate of take-up of housing allocations;
- potential for infill and conversion and development on previously used land;
- employment land availability and rate of take up;
- capacity of physical and social infrastructure;
- transport accessibility; and
- environmental constraints and opportunities.

Discussions with the Home Builders Federation and surveyors or employers organisations (e.g. CBI Wales, Small Business Federation or the Chamber of Commerce) may be able to provide information on the potential demand for additional housing and business/industrial space. The Assembly Government may also provide such information.

Authorities should invite the submission of third-party data, e.g. from environmental organisations, so that it benefits plan preparation. Use of standard definitions and software would aid data pooling.

It is important not to overlook the usefulness of qualitative information. Qualitative information can assist in the understanding of the causes of trends and current conditions. It can help identify key drivers for change, barriers to change, and realistic policy levers that would make a difference. For instance, there would be value in obtaining the views of business stakeholders on economic prospects, the views of the property industry on potential for and barriers to development, the views of housing professionals on market factors and housing needs, the views of the community and voluntary sector on social inclusion issues, and so on.

A further consideration in deciding on the information to assemble is the set of proposed core monitoring indicators that the Assembly Government wishes to see used by all LPAs (see sections 9.5.3-4). The availability of baseline information will

provide an early reality check when deciding on which additional local indicators to use for monitoring.

It is important to anticipate the type of evidence likely to be required to justify the plan's approach, including capability of serving the requirements of the SEA Directive. The Inspector will be able to call for evidence from any party if it will assist in the examination of the LDP.

#### 5.4.4 Land needs and availability

Discussions should take place with **public service providers**, including the authority's own municipal waste department, and health and utilities, to identify whether sites for any additional facilities need to be included in the LDP. There may also be an identified need for additional open space in urban areas. Such needs may already have been established through the Community Strategy process.

Early consideration should be given to engagement with **developers and landowners** to obtain information on potential sites not already identified in Joint Housing Land Availability Studies (discussed in TAN1). This is to avoid a substantial number of additional sites coming forward at the examination stage, and to ensure that the LDP strategy is deliverable.

Town and Community Councils and local Members may similarly have suggestions for sites suitable for affordable housing and other local facilities.

LPAs often place an advertisement, to invite developers and landowners to put forward candidate sites. However, the LPA should stress that inviting the submission of sites is only part of the information gathering exercise and should not be interpreted as a commitment from the LPA that such sites will be taken forward into the LDP. When putting forward such sites, developers and landowners should include sufficient data to allow a robust assessment of the site to be made (see section 7.5.2).

To avoid unduly raising expectations of development in totally unsuitable locations, any such invitation should be accompanied by a clear public statement indicating the types of location which would be judged to be sustainable. The LPA should apply a set of criteria or filtering mechanism to classify sites as to their acceptability as sites for further consideration. This should be a transparent process.

Potential sites should be discussed with statutory consultees at an early stage to identify any fundamental issues. The size of a site may not be indicative of its impact in social, economic or environmental terms. A **site register** could then be prepared by the authority, with baseline data assembled for each, including physical constraints, proximity to local services, accessibility, etc. and with an OS base where possible.

The site register is a useful tool to which information can be added:

- at the preferred strategy stage (see Chapter 6) when sites have been classified into those that contribute to the preferred strategy and those that do not; and
- at the site allocation representations stage (see section 7.5) to identify earlier LPA assessments of the site or, for new sites, to record the LPA's assessment of the proponent's case for inclusion.

## 5.5 Identifying LDP Objectives from the LDP Vision

The LDP vision and objectives will flow from having a clear view of what sort of place the authority wants to become. Authority members have an important leadership role in defining this vision. This should already have been achieved within the authority and with partners through the preparation of the Community Strategy or the National Park Management Plan. Most Community Strategies and NPMPs should have reviewed the objectives in other strategies of the authority to identify the overarching ones.

If the relevant overarching document is out of date or of limited spatial relevance, LPAs will need to generate a spatial vision for the LDP and ensure it conforms with the overall view of the future direction of the LA prior to developing LDP objectives. The Spatial Visions set out in the Wales Spatial Plan provide a useful reference point by setting the wider context, and providing an important link to wider regional and sub-regional objectives.

The vision should be well rounded so that there should be a balance between economic, social and environmental objectives. LDP objectives should be capable of being addressed through the planning system. These are likely to be influenced by the sustainability objectives identified through the SA process (see section 5.6.3 below). They serve a different purpose although there may be some overlap between them. Examples to illustrate this differentiation are given below in Figure 5.2.

**Figure 5.2: Examples of LDP and Sustainability Appraisal Objectives**

Plan can set objectives for...	Appraisal objectives should ask whether...
Brownfield %	wildlife, biodiversity, open space access maintained
Location near amenities, public transport	people will actually drive/travel less as a result
Key worker/affordable housing	people can afford to live near work/ in communities
Renewable energy, efficiency	greenhouse gas emissions are reduced

Source: Levett-Therivel work for ODPM

## 5.6 SA Tasks

Following an initial description of the screening process, this section identifies the work involved in scoping the SA. There are four main scoping tasks (see sections 5.6.2-5.6.5), which should be then documented in a scoping report.

### 5.6.1 Screening

Under SEA Regulation 9(1), the LPA must consider whether the LDP will have significant environmental effects and make public any determination under SEA Regulation 11. Schedule 1 of the SEA Regulations outlines that the LPA should

have regard to the nature of the LDP and the character of the area to be affected in making such a determination. In the unlikely case that the LPA considers that the LDP will have no significant environmental effects, support from the Environmental Consultation bodies and clear evidence will need to be provided in any determination under Regulation 9(1).

### 5.6.2 Reviewing other relevant policies, plans and programmes, and sustainability objectives (ODPM SA Guide, Task A1)

The LPA must take account of relationships between the LDP and other relevant policies, plans and programmes, and sustainability objectives. The SEA Directive specifically requires environmental protection objectives established at international, European Community or national levels to be taken into account. Reviewing the relationship with such documents:

- may influence the options to be considered in preparing the LDP;
- enable potential synergies to be exploited;
- enable any inconsistencies and constraints to be addressed; and
- allow consideration of whether these other policies, plans and programmes might give rise to cumulative effects when combined with the LDP.

**Table 5A: Selected policies, plans, programmes and sources of sustainability objectives**

International Context	Welsh Context
Rio Declaration on Environment and Development	People, Places, Futures (Wales Spatial Plan)
United Nations Framework Convention on Climate Change	Planning Policy Wales Wales a Better Country
Convention on Biological Diversity	Minerals Planning Policy Wales and TANS
The Johannesburg Declaration on Sustainable Development	Better Homes for People in Wales - a National Housing Strategy for Wales
Kyoto Protocol	Wise about Waste: The National Waste Strategy for Wales
Agenda 21	The Welsh Assembly Government's Environment Strategy
European Spatial Development Perspective	Wales A Vibrant Economy
European Directives	The Wales Transport Strategy
European programmes, such as Objective 1 etc.	Farming for the future: A new direction for farming in Wales
Aarhus Convention	Rural Development Plan
EU Sixth Environmental Action Plan	
European Climate Change programme	

International Context	Welsh Context
European Biodiversity Strategy European Climate Change programme EU Rural Development Policy The European Employment Strategy The Framework Directive in the field of water policy Renewable Energy Coalition	Sports Tourism in Wales: A Framework for Action Cultural Tourism Strategy for Wales Well-being in Wales
UK Context	Regional and Local Context
UK Sustainable Development Strategy UK Biodiversity Action Plan Air Quality Strategy for England, Scotland, Wales and Northern Ireland UK Biodiversity Action Plan Water Resources for the Future: Strategy for England and Wales	Regional Transport Plan Regional Waste Plans EA River Basin, CAMS, Drought Management Plans, Water Resource Management Plans, etc Statutory undertaker/utility company plans Community Strategies National Park Management Plans Health, Social Care and Well being Strategies Children and Young People Strategy Municipal Waste Strategy Local Housing Strategy/Assessments Regeneration Strategies Community Safety Strategy Countryside Strategies Local Biodiversity Action Plans

Source: ODPM SA Guide, Appendix 5, Figure 15, November 2005 adapted for the Welsh context

A focused approach is necessary to this task to provide a useful input in a timely fashion. Some information sharing between LPAs should be possible particularly in relation to reviewing the objectives of the international documents. In due course SEAs conducted on national strategies will have identified environmental sustainability objectives from international documentation. This will become a source from which LPAs can draw, in order to avoid duplication of work between different levels. Each LPA must of course be responsible for its own review of local documents. These relationships need to be kept under review as the SA Report progresses.

### 5.6.3 The role of baseline information (ODPM SA Guide, Task A2)

A robust understanding of the baseline position (in social, economic and environmental terms) is important in ensuring a sound evidence base for the plan.

It is important to understand how baseline information should be used in order to keep the exercise practical. This information:

- helps to identify sustainability problems which the plan should seek to address;
- provides the baseline for predicting the effects of alternative LDP strategies at the strategic options stage; and
- provides a benchmark against which future monitoring can take place (SA indicators).

SA baseline information describes the current state of the social, environmental and economic characteristics of the area likely to be significantly affected by the plan. The SEA Regulations 2004 Schedule 2 outlines the range of environmental matters that need to be considered. These Regulations require environmental matters to be considered in greater depth than social or economic matters. However it is important that LPAs compile a sound understanding of social and economic baseline conditions.

The baseline information focuses largely on the existing characteristics of the area. The evidence base of the LDP (as described in section 5.4 above) covers this and a wider range of factors including the analysis of the future needs and demands on the area, and drivers for change.

LPAs are encouraged to consider what information will be the most useful from that which is readily available, using both quantitative and qualitative information. There is no benefit in collecting a vast array of information for the sake of it. The focus should be on characteristics that will be directly affected by land-use plans, which can then feed into the subsequent appraisal of LDP options. Useful sources of existing information are:

- the appraisals and monitoring of previous Unitary Development Plan, or other plans, e.g. the Local Transport Plan;
- environmental health or biodiversity work conducted by staff in other local authority departments (which should consider environmental opportunities as well as constraints); and
- the review of other policies, plans, programmes (as above).

Much of the baseline information needed will be generic to an area larger than the individual planning authority. Hence there are considerable benefits in pooling resources and sharing information. Background work for the Wales Spatial Plan may provide a useful resource. Information at the local level should however focus on the distinctive characteristics of that area.

Where there are gaps in data, it will be important to record any resulting uncertainties or risks in the SA. Provision should be made to fill any major gaps for future LDP reviews. Examples of questions to help decide what baseline information to collect are given below. Table 5B is an extract of the fuller guidance in the ODPM SA Guide, which relates to the two tier system in England.

**Table 5B: Examples of questions to help decide what baseline information to collect**

### **Social Questions**

What is the population of the LPA area, and how has this changed over time (consider trends in the relevant WSP area too)?

What is the broad distribution of population between main urban centres, smaller towns, and rural areas?

Which locations are suffering from concentrations of social deprivation?

### **Environmental Questions**

Which habitats are internationally/nationally/locally important, where are they, and what condition are they in?

What are the local priorities for biodiversity including in Biodiversity Action Plans

Where are the features of cultural heritage importance (e.g. listed buildings, scheduled ancient monuments, conservation areas, historic landscapes, parks and gardens, views and vistas, etc), and what state are they in?

Which areas have been designated because of their landscape quality (National Parks, AONBs) and which locations should be conserved, restored or enhanced?

### **Economic Questions**

Which parts of the LDP area are struggling economically?

Are there any significant land-use constraints affecting total output of the economy (GVA) or differences in productivity patterns?

*Source: ODPM SA Guide, Appendix 6, Figure 17, November 2005, adapted for the Welsh context.*

A list of useful sources of baseline information relevant to Wales is given in Annex C of this Manual.

This form of analysis should assist with the identification of issues to be addressed in the LDP (see section 5.4 above).

It is also appropriate as the basis for subsequently predicting the effects of LDP options and to identify the change in these characteristics that is likely to occur without new LDP policies (the so-called “do nothing” or “business as usual” scenario required in SEA). This is likely to be the projection of the future should the existing development plan policy be maintained.

#### 5.6.4 Identifying sustainability issues and problems (ODPM SA Guide, Task A3)

The identification of sustainability issues (including environmental problems as required by the SEA Directive) is an opportunity to define key issues for the LDP and to develop sustainable plan objectives and options.

LPAs will already be aware of many sustainability issues and problems. Others may be identified on the basis of:

- experience of previous UDPs and other plans, including the Community Strategy;
- possible tensions or inconsistencies with other policies, plans and programmes as identified in the review of land-use related sustainability objectives above (section 5.6.2);
- possible overlaps, tensions or inconsistencies between the baseline conditions; and
- consultation with authorities with social, economic and environmental responsibilities and other relevant stakeholders.

Any issues identified should, where possible, be linked to evidence by reference to the baseline information and the identification of historical or likely future trends.

An example of how to record key sustainability issues highlighted through the baseline information collection process is given below.

**Table 5D: Example of documenting key sustainability issues and problems at the local level**

Key issues and problems	Source
<b>Social</b>	
1. The town has a higher than average elderly population, with concerns raised about the out-migration of young skilled people, and the future needs of the elderly population.	Wales Spatial Plan (review of other plans and programmes). 2001 Census (review of baseline information).
2. The plan area contains some of the most deprived areas in the UK, including wards which falls within the top 10% worst deprived in the country.	Welsh Index of Multiple Deprivation 2005 (review of baseline information). Wales Rural Observatory.

Key issues and problems	Source
<b>Environment</b>	
3. The town is constrained by environmentally designated and important land. The green wedges are an important feature of the town that should be maintained.	LANDMAP Landscape Database (review of baseline information).
4. The southern fringe of the town is located in the floodplain.	TAN 15 and Environment Agency Wales (floodplain maps, from review of baseline information).
<b>Economic</b>	
5. There is high traffic congestion at peak hours at the junction of the motorway.	Wales Spatial Plan (review of other plans, programmes). Wales Transport Strategy (review of baseline information). Regional Transport Plan (review of other plans and programmes).
6. There are skills shortages in high-tech and health sectors.	Wales: a Vibrant Economy (review of baseline information).

Source: ODPM SA Guide, Appendix 8, Figure 20, November 2005, adapted for the Welsh context

### 5.6.5 Developing the SA Framework (ODPM SA Guide, Task A4)

The SA framework provides a way in which sustainability effects can be described, analysed and compared.

The SA framework consists of sustainability objectives which should where possible be expressed in the form of indicators and targets. Such objectives should be informed by the Assembly Government's Sustainable Development Scheme, the Wales Spatial Plan, and national and European planning and environmental policy, the local Community Strategy (which will have been reviewed as above, section 5.6.2) and the National Park Management Plan.

Sustainability objectives are distinct from the objectives of the LDP, though they may inform the LDP objectives (see Figure 5.2 above). They provide a way of checking whether the LDP objectives are the best possible ones for sustainability (see section 5.6.7 below). They are also a yardstick against which the social, economic and environmental effects of the LDP can be tested.

It is useful to develop SA objectives, indicators and targets in consultation with the Environmental consultation bodies and relevant stakeholders, and review them in the light of baseline information and any problems identified. The numbers selected need to be manageable, for example about 15, with a balance between social, environmental and economic. The selection of environmental objectives needs to have

regard to the topics listed in the SEA Regulations, Schedule 2 (6), but be tailored to the characteristics of, and issues arising in, the local area.

Where any conflicts arise between sustainability objectives in different documents, it may be helpful to consider the following principles:

- the relative timing of the plan or programme concerned;
- the level of consultation undertaken on the plan or programme; and
- the degree to which the plan, programme and objectives are consistent with current policy or legal requirements; and the extent to which any appraisal has already been conducted.

Further information about developing an SA framework is given in the ODPM SA Guide, Appendix 9. In particular Figure 22 provides example sustainability objectives and indicators, together with detailed decision-making criteria.

It may be useful to test the internal compatibility of the SA objectives using a matrix approach. The more important objectives could be highlighted in this sort of compatibility assessment. There may be tensions between objectives that cannot be resolved. This sort of assessment will clarify these so that subsequent decisions are well based, and alternatives and mitigation can be considered. Further guidance is given in the ODPM SA Guide, Appendix 10.

#### **5.6.6 Preparing and consulting on the SA scoping report (ODPM SA Guide, Task A5)**

A scoping report should be prepared which provides summary findings from the foregoing tasks, i.e. as described in sections above, and also identifies the proposed methodology for the remainder of the sustainability appraisal. This includes identifying where the issues and objectives signpost the need for deeper assessments of particular issues such as race, Welsh language or health impact assessments. For example, if an SA objective is to improve the health of local children this might point to the need to do a health impact assessment of relevant plan policies on young people.

This SA scoping report should include:

- a review of the other plans, programmes and objectives relevant to the LDP, with information on synergies or inconsistencies;
- baseline and other information, either already collected or still needed, with notes on sources and any problems encountered;
- social, environmental and economic issues identified as a result of the work undertaken;
- the SA Framework, including the suggested SA objectives and indicators (and targets where these are proposed), and how these were chosen; and
- proposals for the structure and level of detail of the SA report.

The consultation bodies should be engaged from the start of the process of preparing the scoping report. What drafted, the SA scoping report should be used as the basis of consultation with the three Environmental consultation bodies. These bodies defined in the SEA Regulations are among the Specific consultation bodies defined in the LDP Regulations.

It is also desirable for the LPA to consult bodies representing social and economic interests on the SA scoping report. Where possible there should be a balance between consultees concerned with economic, social, and environmental issues. If an SA technical reference group or key stakeholder group has been set up, they should also be involved.

SEA Regulation 12(6) determines that the Environmental consultation bodies should have 5 weeks in which to respond to an authority’s invitation to engage in a consultation on the scoping process. A similar time period is envisaged for all consultees to respond on the scoping of the SA.

### 5.6.7 Testing LDP objectives against the SA Framework (ODPM SA Guide, Task B1)

The objectives of the LDP set out what it is aiming to achieve in land use terms, and set the context for the development of options. The objectives will have been chosen to support the vision for the area.

It is important for the LDP objectives to accord with sustainability principles. The objectives should therefore be tested for compatibility with the SA objectives. This will help to refine the LDP objectives and identify LDP options.

The LDP objectives also need to be consistent with each other. Testing them against the SA objectives will be one way of checking for this. Where there is a conflict between objectives, the LPA will need to reach a decision on priorities.

An example of testing for compatibility is given below.

**Table 5E: Example matrix for comparing plan objectives against SA objectives**

Plan Objectives	SA Objectives			
	Objective A	Objective B	Objective C	Objective D
Objective 1	Positive Compatible	Neutral	Positive Compatible	Positive Compatible
Objective 2	Possible conflict	Positive Compatible	Neutral	Positive Compatible
Objective 3	Neutral	Neutral	Positive Compatible	Neutral
Objective 4	Possible conflict	Possible conflict	Neutral	Neutral

**Comments and recommendations:**

**Plan Objective 2 versus SA Objective A:** Possible conflict as Plan Objective 2 seeks to deliver housing that meets unmet *demand*, whilst SA Objective A aims to meet local housing *need*. Recommendation: change wording of Plan Objective 2 to 'need' rather than 'demand'.

**Plan Objective 4 versus SA Objective A:** Possible conflict as Plan Objective 4 is to protect greenfield land from development, but housing capacity study has shown that in order to satisfy housing need, some greenfield development will be required. Recommendation: change wording of Plan Objective 4 to prioritise brownfield development over greenfield, but not to rule out greenfield development completely.

**Plan Objective 4 versus SA Objective B:** Possible conflict as SA Objective B seeks to deliver development that reduces the need to travel, and some greenfield locations may be better placed to deliver this than some remoter brownfield sites. Recommendation: add to wording of Plan Objective 4 'where in line with the objective to reduce the need to travel'.

Whilst the aim should be to achieve consistency between plan objectives, in practice there may be tensions between objectives. Where win-win outcomes cannot be achieved, decision-makers will need to determine where the priorities should lie and this should be recorded explicitly in the SA.

Source: ODPM SA Guide, Appendix 10, Figure 25, November 2005

## 5.7 Summary of Evidence Gathering and Objectives Tasks

LDP Stage	SA	SEA
Review, and if necessary supplement, the evidence base.		Baseline state of the environment. Establish environmental characteristics likely to be significantly affected. Predict change without plan.
	Identify SA issues. Consider relationship to other plans.	Consider relationship to other plans.
Identify LDP objectives.	Develop SA objectives/ appraisal criteria. Establish SA Framework.	Establish scope of SEA with environmental consultation bodies. Identify European/ national environmental protection objectives. Establish SEA objectives.
	Produce SA scoping report.	Incorporate SEA objectives in SA scoping report.





## 6 Strategic Options and Preferred Strategy

### 6.1 Introduction

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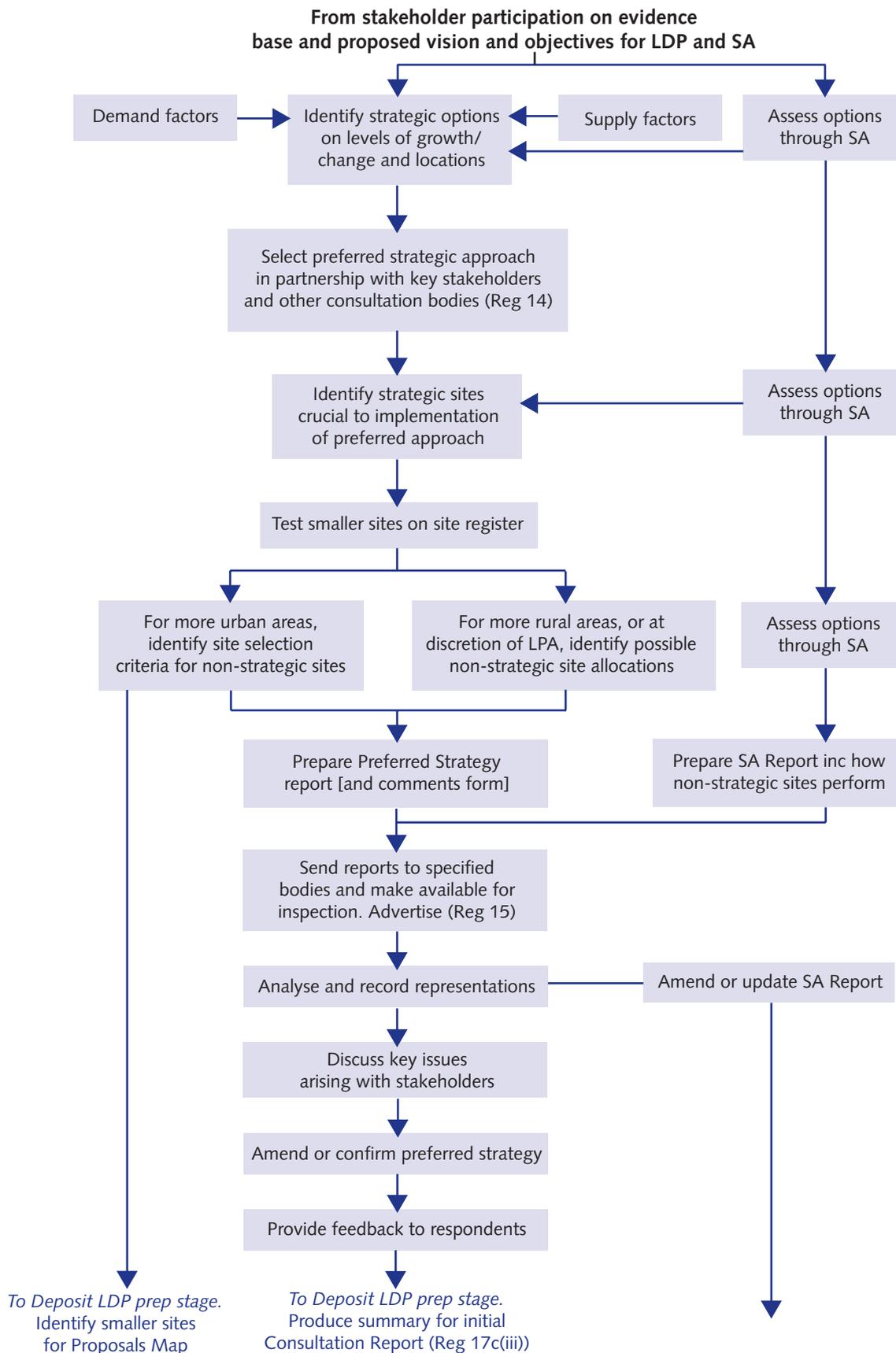
This chapter provides guidance on starting to formulate the content of the LDP. This is done through a process of identifying and testing strategy and policy options for achieving the vision. This corresponds to the pre-deposit stages as referred to in the LDP Regulations.

The suggested process is as follows:

- set up CIS mechanisms for dialogue and consensus building etc;
- stakeholder participation to help consider the vision and objectives and the implications of the evidence base, and to identify strategic options to meet the objectives;
- selection of a preferred strategy approach, ideally in partnership with key stakeholders/consultees as specified in Regulation 14;
- identification of strategic sites that are vital to the implementation of that strategy (areas of change) - lists of submitted sites that are compatible, and those that are not, should be prepared and made public at this stage;
- definition of site selection criteria for smaller sites not in significant areas of change;
- preparation of a Preferred Strategy Proposals Document; and
- testing consensus by inviting wider views (pre-deposit public consultation stage) as specified in Regulation 15.

An LPA may wish to seek comments on smaller sites at the pre-deposit stage: for example, where it proposes several smaller sites within an area of change that cumulatively might affect the character of the settlement. This is at the authority's discretion, but with the aim of also ensuring the consultation is as strategic as possible. This does not imply an extra public consultation stage.

Figure 6.1: Strategic Options and Preferred Strategy



## 6.2 LDP Themes

Informing LDP production through SA	Options should be assessed against the SA Framework, taking into account the likely impacts upon current and future generations as well as those with or without access to private transport etc (section 5.4). A Sustainability Appraisal report will be published alongside the Preferred Strategy. Section 6.5.3
Stakeholder and community dialogue	Key stakeholders will be invited to engage in discussion of the strategic options; public consultation will take place once the Preferred Strategy has been identified. Section 6.6
Policy integration	LPAs should include neighbouring authorities in their 'key stakeholder' discussions. Section 6.3.4
Faster and more responsive plan making	The aim is to speed up plan preparation, and to focus initial debate on strategic issues. Section 6.3.1
More strategic, concise and distinctive plan making	By engaging bodies such as community councils at an early stage, LPAs can better reflect local concerns and local distinctiveness when preparing the Preferred Strategy. Section 6.3.4

## 6.3 Identifying Strategic Options

This covers ODPM SA Guide, Task B2. Further guidance is given in that Guide, Appendix 11.

### 6.3.1 Overview

An important feature of the LDP system is the emphasis on identifying and testing realistic options for meeting objectives.

There are four main elements where variations and alternatives could be considered:

- the overall levels of growth, change and conservation to be accommodated (taking forward the vision and objectives);

- the spatial distribution of new development (areas of change) and infrastructure;
- topic based policy, which may contain numerical guidelines (e.g. on housing density, where appropriate), or targets (e.g. on renewable energy generation or provision of waste facility capacity); and
- topic based policy setting out broader principles and criteria for growth protection and development.

The pre-deposit stage should start by focusing on the overall levels change, and the spatial distribution of new development. Topic-based policy is likely to emerge from consideration of these.

There are unlikely to be significant options for international or national environmental designations. It may however be appropriate to consider local areas of protection, such as green wedges.

A useful analytical technique in identifying and specifying strategic options could be to develop a series of **spatial scenarios** of how the area might develop and change to achieve the vision. These should be based on technical and policy judgements which in turn are based on the range of (qualitative as well as quantitative) evidence and policy principles discussed above. Different scenarios could be developed to include an assessment of:

- the area baseline, its environmental characteristics, socio economic conditions, and the challenges and predicted level and extent of growth and change (including zero or negative growth);
- the spatial distribution of proposed growth, and the spatial priorities for areas of protection and conservation;
- contribution to meeting regional and sub-regional objectives as set out in the Wales Spatial Plan and the emerging area work;
- an assessment of the extent to which growth/change differs from a "business as usual" trend-based scenario, both in terms of the level and quantum of growth/change and its spatial distribution;
- the broad "route map" of policy and investment interventions required to deliver the step-change required; and
- a high level assessment of possible negative impacts and risks, including how these might be mitigated and managed.

These scenarios could take the form of alternative descriptions of the future. Whilst they should be informed by relevant forecasts, the scenarios can be descriptive, and not necessarily comprise quantitative projections.

### 6.3.2 Levels of growth/change

A necessary precursor to identifying options is to identify the broad scale of demand for new development in the local area as part of the evidence base (section 5.4.2).

Numerical projections of demand provide a starting point. This then needs to be weighed against the vision for the area, capacity issues within the locality, including housing and employment land availability, potential for redevelopment, regeneration requirements, infrastructure and environmental constraints.

Demand and supply side issues can be brought together in a number of ways to produce options that could range from a strongly market-led level of growth to a more capacity-constrained level or focused locations. It is important to restrict this exercise so that only a small number (2-4) of growth/change options are considered seriously. These must all be realistic possibilities taking account of national planning policy, the Wales Spatial Plan (and the WSP Area Programmes), regional plans or strategies and local aspirations and sensitivities expressed through the Community Strategy (or NPMP where applicable). The number of options considered will be influenced by the nature of the LPA area, its complexity and the scope for alternative development scenarios. It will not be acceptable to generate options that are unrealistic or clearly unsustainable.

Judgement is necessary to identify a proposed policy-based approach. The justification for a preferred level of growth should be transparent, as part of the evidence base for the plan. Monitoring information will be an important component of this evidence base, particularly as LDPs are reviewed (see Chapter 9).

### 6.3.3 Spatial distribution

The spatial implications for each of the growth/change scenarios should then be considered.

Options can be considered at two scales:

- alternative spatial strategies for the authority area, e.g. concentration of growth in and around certain towns compared to dispersal of growth; and
- alternative sites within areas of change.

**Focusing initially on options at the authority wide level** (e.g. by using alternative key diagrams) is consistent with the strategic thinking intended to inform LDPs. Pointers may be available from the Wales Spatial Plan area studies (spatial options for an LDP could be part of a spatial strategy for a wider area). Broad locations for growth need to be identified clearly (e.g. residential, employment and mixed use), and in some cases these may be synonymous with strategic sites. Initial dialogue should be at the strategic level, and not an attempt to interrogate the detailed components of any such strategic sites.

As part of these strategy discussions, it is appropriate to identify site selection criteria and infrastructure requirements to be used for the subsequent identification of housing land in and around urban areas, in villages and rural areas.

Any testing of alternative site options would normally be done after a preference is reached on the type of broad strategy to be pursued (level and distribution of growth).

For predominantly rural areas, the spatial scale of individual areas of change is unlikely to be significant. For these areas there may be scope to consider options for a more generic "rural strategy". This could consider broad policy options and principles with regard to issues such as affordable housing, village scale allocations, the role and development of market towns, diversification, the settlement hierarchy and roles in terms of service provision, and so on.

#### **6.3.4 Seeking consensus**

The evidence, stakeholder views and overarching objectives should inform the identification of options. To some extent this will be a process of narrowing down options, eliminating those that are considered unrealistic, or inappropriate in terms of higher-level policy.

Authorities are used to consulting on proposals, but the LDP system seeks earlier and more meaningful engagement at the options stage so that the implications of alternative courses of action can be understood.

The participation of 'specific consultation bodies' and relevant 'general consultation bodies' in reaching a preferred strategy is required by Regulation 14. The recommended form of structured discussion with key stakeholders, partners and representative interest groups is described in section 4.5.

The authority's CIS should identify ways of seeking a focused dialogue with such interests. For example it may be appropriate to involve representatives of umbrella groups of community councils and commercial interests in a series of events at which the evidence is presented and alternative options for the area are developed (see also section 5.5).

## **6.4 Assessing Options through the SA**

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### **6.4.1 Predicting the effects of the LDP options (ODPM SA Guide, Task B3)**

The purpose of this task is to predict the social, environmental and economic effects of the options being considered in the LDP preparation process. The main technique is to predict both positive and negative effects of each option on the environmental baseline and objectives set out in the SA framework. The performance of each option can then be compared, taking account where necessary of the "business as usual" scenario, i.e. how sustainability would change under the current development plan.

For SEA, assessment should focus only on those LDP impacts judged to have a "significant" effect on the environment as defined in the SEA/Regulations.

Given the broad nature of plan proposals and the difficulty of separating other causes of the effects, a qualitative approach is likely to be the most meaningful at present. Broad-based qualitative predictions based on professional judgement can be expressed in easily understood terms, such as "getting better or worse", or on a scale from ++ (very positive) to - - (very negative), as illustrated in Figure 6A.

However, qualitative does not mean “guessed”. Predictions should be cross-referenced to evidence, such as discussions or consultation, any expert group findings, or research which helped those carrying out the SA to reach their conclusions.

For some objectives it may be possible to quantify the potential effects. However as far as possible a balance should be maintained in the level to which assessments are taken across the range of issues. The overall results should not be skewed by those objectives where some quantification may be possible.

Any uncertainties or limitations in the information underlying both quantitative and qualitative predictions should be documented, including assumptions about underlying trends.

An example of a traditional options’ assessment is given in Figure 6A.

**Figure 6A: Example table for assessment of options against SA objectives**

SD Objective	Option A - Concentrate development on MOD Site, on northern edge of main market town		Option B - Even development within three main towns, brownfield prioritised	
	Performance	Commentary/ explanation	Performance	Commentary/ explanation
Environmental Objective 1 - To maintain & enhance the quality of landscapes & townscapes	-	Visual impact of the development, and change in character of the town (e.g. setting) could be significant. Setting aside such a large area of land for development could mean that development of other brownfield sites in the town would become more difficult to develop.	++	Would bring back into use derelict and degraded sites, which are currently causing visual blight across all three towns.
Environmental Objective 2 - To improve air quality	-	Could lead to air quality standards being breached.	+	As brownfield sites are centrally located, should allow for development to take place that would encourage walking and cycling, and less reliance on the car.

SD Objective	Option A - Concentrate development on MOD Site, on northern edge of main market town		Option B - Even development within three main towns, brownfield prioritised	
	Performance	Commentary/ explanation	Performance	Commentary/ explanation
Environmental Objective 3 - Summary appraisal against environmental objectives.	-	Cumulative effects could be major, without appropriate policies to ensure that landscape quality is maintained, loss of grassland biodiversity is compensated for, and that a significant switch from car use to public transport and/or walking/ cycling is achieved.	+	Generally positive (some minor effects re. ecological value of brownfield sites). Would make most efficient use of land.
etc.				
Key for performance: + positive – negative ○ neutral ? uncertain +/- minor ++/- – major. A distinction could also be made between short, medium and long term, if appropriate				

Source: ODPM SA Guide, Appendix 11, Figure 30, November 2005

In this example, the performance rating for a particular option will have been based on the type of assessment documented in the Comments column. This should take account of:

- the duration of the effects, i.e. whether short, medium or long-term, permanent or temporary, e.g. public transport infrastructure (or lack of it) may have serious adverse effects in the short-term, but beneficial ones in the long-term; and
- who is affected, i.e. any differential implications for different groups of people, e.g. rural and urban dwellers; young and old; ethnic minorities; those with disabilities; people with cars and those without; future and current generations.

This exercise of predicting effects should also serve to clarify exactly what is proposed, and how the options differ from each other, and/or their relationship to the plan as a whole. It may also prompt a discussion about how uncertainty could be reduced, e.g. in terms of implementation mechanisms that the plan could include. This approach should normally include relevant impact assessments at a strategic level.

Relevant guidelines for predicting the effects of options are that:

- when using symbols or other ways of presenting information, always explain and justify the choice of symbol with reference to the baseline situation relevant to that SA objective;
- focus on the effects of the option rather than other factors that may influence the achievement of the SA objective;
- consider whether the effect is likely to be permanent or temporary, and the timescale over which the effect is likely to be observed; (e.g. landscaping of new development over time);
- backup qualitative predictions with data where possible but avoid using spurious measurements that are not grounded in evidence;
- consider whether any options could displace sustainability problems to other areas; and
- document clearly where the assessment includes consideration of vulnerability, risk and uncertainty.

This task should also include recognising the potential for any **cumulative effects**. Cumulative effects, as used here, also include any secondary and synergistic effects. Examples of such effects include changes in the landscape, loss of tranquillity, economic decline and climate change. These effects are very hard to deal with on a project-by-project basis through EIA. It is at the SA level that they are most effectively identified and addressed.

Examples of these three types of indirect effect are set out below.

**Secondary** - a plan proposal that would facilitate or attract other developments, or a proposal that would change a water table and thus affect the ecology of a nearby wetland.

**Cumulative** - plan proposals which on their own might have only an insignificant effect but together would have a significant effect, e.g. several small housing allocations which together could affect the character of a village; or where the combined effects of a proposal might be significant, e.g. visual, traffic and noise.

**Synergistic** - plan proposals which could interact to produce a total effect greater than the sum of the individual parts. For example when transport, housing and employment proposals each with their own effects, collectively produce a critical mass to produce a more sustainable community. Alternatively in adverse terms where a wildlife habitat becomes progressively fragmented until a final proposal could make the area too small to support the species at all.

Potential cumulative effects should be considered throughout the SA process. Further guidance is given in the ODPM SA Guide, Figure 35. An example of a table for recording the cumulative effects of plan policies against sustainability objectives is given in that same Guide, Figure 38.

#### **6.4.2 Evaluating the effects of the LDP options (ODPM SA Guide, Task B4)**

This task involves evaluating the significance of the effects predicted above. To inform such judgements, LPAs should consider the probability, duration, frequency and reversibility of the effects, including secondary, cumulative and synergistic effects. The magnitude and spatial extent of the effects (geographical area and size of the population likely to be effected) should also be considered. The value and vulnerability of certain areas and population may also influence the appraisal, particularly where thresholds or standards may be exceeded.

The significance of the effects should:

- be determined individually in each case - effects which are significant in one situation are not necessarily significant in another;
- be proportionate, i.e. devoting reasonable time and effort in relation to the expected severity of the effect;
- be carried out flexibly, using criteria as guidelines not rules; and
- avoid spurious accuracy which will not lead to an increase in objectivity.

#### **6.4.3 Considering ways of mitigating adverse effects and maximising beneficial effects (ODPM SA Guide, Task B5)**

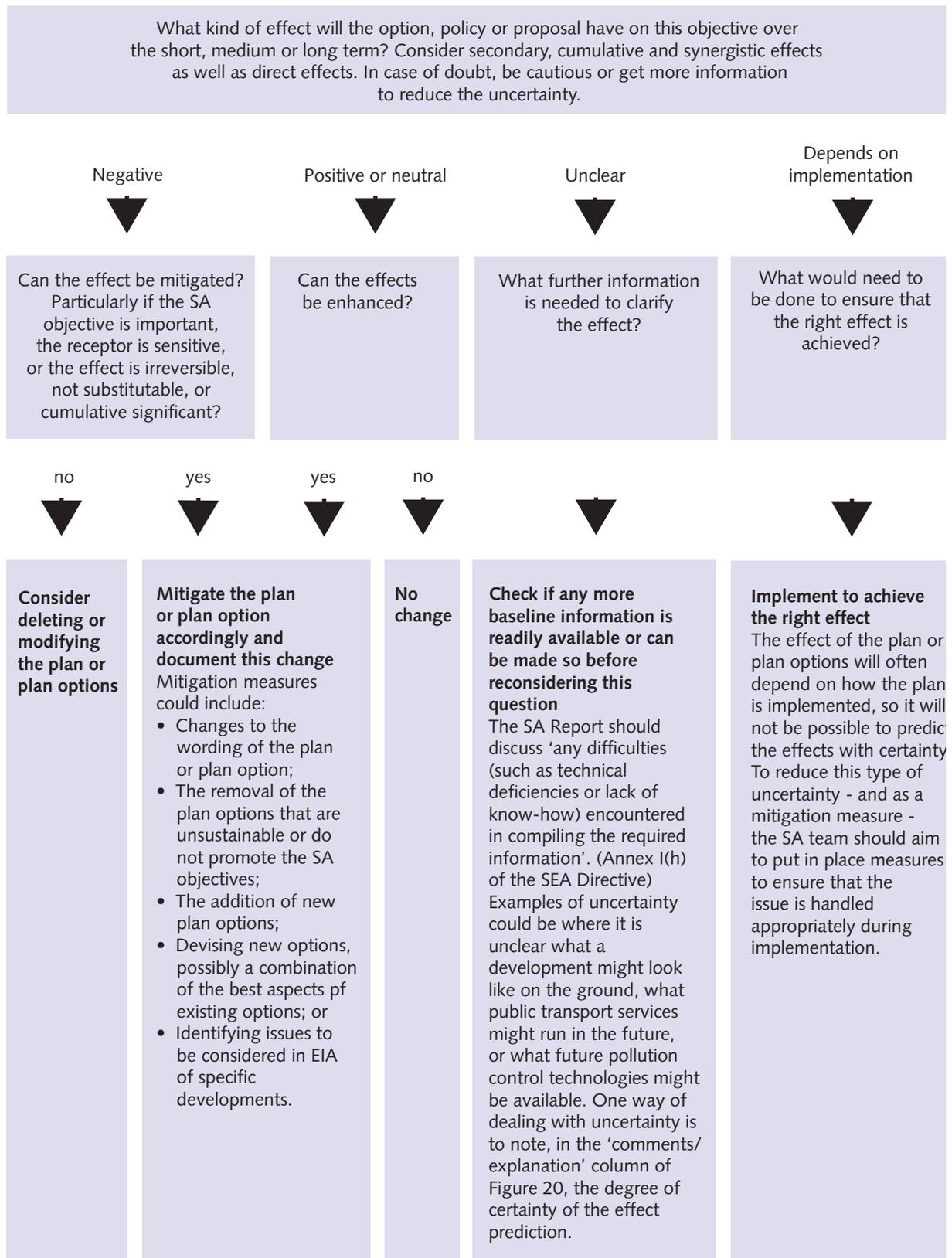
This task involves considering mitigation measures, i.e. whether there are any measures to prevent, reduce or offset significant adverse effects of implementing the LDP. This includes proactive avoidance of adverse effects as well as actions taken after effects may be noticed. Mitigation measures may also include recommendations for improving beneficial effects.

Mitigation can take a wide range of forms, including:

- changes to the LDP as a whole, including bringing forward new options;
- refining policies in order to improve the likelihood of beneficial effects and to minimise adverse effects, e.g. by strengthening policy criteria (of most relevance to the LDP preparation stage);
- technical measures to be applied during the implementation stage, e.g. buffer zones, application of design principles;
- proposals in EIAs accompanying planning applications; and
- proposals for changing other plans and programmes.

The following diagram gives a fuller explanation of issues to consider in the process of evaluating options. Use of this flowchart for each option should ensure that prediction, assessment and mitigation are linked and that a full range of mitigation measures are considered.

**Figure 6B: A framework for appraising the effects of a plan option**



Source: ODPM SA Guide, Appendix 12, Figure 33, November 2005, with slight amendments

From this evaluation, the performance of each option can be summarised against social, environmental and economic objectives. An example of how this might be documented is given in the ODPM SA Guide, Figure 29.

From this it should be clear how the preferred strategy performs, and why some options have been rejected. The recording of this work should be incorporated in the SA report, see section 6.5.3 below. This work can inform recommendations on changes to the preferred strategy.

#### **6.4.4 Proposing measures to monitor the significant effects of implementing the LDP (ODPM SA Guide, Task B6)**

Monitoring allows the actual significant effects of implementing the LDP to be tested against those covered by baseline analysis and predicted in the SA. It thus helps to ensure that problems which arise during implementation can be identified and future predictions made more accurately. It can also be used to collect baseline information and evidence for future LDPs. Information and indicators can be drawn from existing sources at national, regional and sub-regional levels to avoid any unnecessary duplication.

Decisions on what to monitor and how to do it should be considered at an early stage in the process of undertaking the SA. Initial monitoring proposals should be included in the SA report, see section 5.5.2 below. Further information on setting up a monitoring system is given in Chapter 8 below (and in the ODPM SA Guide, Appendix 14).

## **6.5 Preparing Pre-Deposit Proposals Documents**

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### **6.5.1 Preferred Strategy**

Ultimately, it is the plan makers' responsibility to identify a preferred strategic option, taking account of all the evidence (including stakeholder views and the appraisal of options through the SA).

The Preferred Strategy Proposals Documents should set out the authority's vision and overall objectives, the strategic spatial options considered, and its preferred spatial strategy. It should also cover the implications for development of pursuing this strategy, including any major sites on which the strategy depends. This does not need to be a full draft of the LDP. It is an opportunity for communities and stakeholders to influence the preferred strategy and suggest modifications or alternatives, providing they meet the LDP's objectives and are compatible with its vision.

In order to ensure that the development of the preferred strategy meets soundness tests, the LPA should apply the relevant tests as a self assessment at this stage. The LPA should also ensure that the evidence base clearly supports the preferred strategy. Discussion of this self assessment with the Assembly Government prior to formal consultation processes under LDP Regulation 15 should ensure any issues are identified before the LPA finalises the preferred strategy for consultation.

In preparing the Preferred Strategy Proposals Documents LPAs will need to consider the most appropriate level of detail for information on site specific proposals. Too little detail will result in stakeholders and the community lacking vital information, impairing the usefulness of the exercise of obtaining comments and conducting discussions. Too much detail could divert respondents from considering the strategic issues. This would impair the ability to lead and broker a discussion and build consensus on the broad strategy and main locations of change for the LDP.

Including substantial and detailed information on **non strategic sites** and detailed policies could add to the time and resources involved in preparation, and in considering and responding to comments. However, if this information is only first included at Deposit Stage, it will be too late for the local community to influence the plan, and for the Authority to discuss comments and concerns with relevant stakeholders and the community, and the Assembly Government would not consider this an effective approach to LDP preparation. This problem could, to some extent, be addressed by including in the Preferred Strategy Proposals Document information on the policy principles and broad criteria that it is proposed to apply to the smaller or non-strategic sites, and by providing a list of sites on the register that would meet these criteria. It may be appropriate for some, but not all, LPAs to identify non strategic or smaller sites at this (preferred strategy) stage.

#### **The Preferred Strategy Proposals Documents should contain:**

- Regional and local context - policy issues, geography etc.
- Vision and LDP objectives.
- Direct linkages to statutory documents, such as the Wales Spatial Plan, the Regional Transport Plan, and Community Strategy, National Park Management Plan; and integration with other strategies as applicable, e.g. regional and local housing strategy, economic strategies, regional waste plan etc.
- Summary of proposed strategy, including strategic sites necessary for its implementation, proposed areas of change or protection.
- Broad locations for non strategic sites and criteria for their inclusion.
- Other relevant policy which would implement the preferred strategy e.g. employment and economic strategy; community and local service needs; open space and leisure strategy; energy, waste management and minerals supply options, housing density/car parking.
- Key diagram showing preferred spatial strategy, with consideration significant external links to neighboring authorities.
- Site register of non strategic sites (optional for inclusion) identifying those considered to accord with the preferred strategy and those which do not.
- Proposal for the structure and scope of the deposit LDP, and any concurrent SPG.

It should be accompanied by:

- Details of specific consultation arrangements, in accordance with the CIS.
- Information on how to respond.
- Response form for representations.
- Reference to Evidence/Technical Papers.
- The SA Report (see below).
- DA/CIS.

### **6.5.2 LDP Summary Note**

At consultation stages of the emerging plan LPAs should consider producing an inexpensive and simplified summary of their LDP. This might be a single sheet, or a short pamphlet, with a summary of the proposals and illustrative material. It should include a note stating where the LDP can be inspected. Versions of this summary could be prepared in ethnic minority languages as appropriate, and in large print.

When undertaking plan preparation, it will be important to consider the role and nature of illustrative material at an early stage.

### **6.5.3 The SA report (ODPM SA Guide, Task C1)**

The SA report includes the recording of the results of the appraisal work undertaken thus far, including predicting and evaluating the effects of the LDP options on the social, environmental and economic objectives. The SA report should cover a strategic assessment of sites on any site register identifying where feasible those that perform well against the SA framework and could contribute to the preferred strategy, and those that do not, including recommending relevant changes to the plan.

The work involved is equivalent to that described in the ODPM SA Guide, Task C1. The SA Report is then updated when the deposit LDP is prepared (see section 7.3.6 below).

The SA report should signpost those components that fulfil the requirements for an Environmental Report in the SEA Regulations, Schedule 2.

In deciding the length and level of detail to be provided in the report, the LPA needs to bear in mind its purpose as a public consultation document. It is likely to be of interest to a wide variety of readers, including statutory consultees, other authorities, non-government organisations and members of the public. It should include a non-technical summary.

Further guidance on the presentation of the report is included in the Quality Assurance checklist at Annexe A to this Manual.

The suggested structure and content of the SA Report is given in Figure 6C below. It should cover as much of this material as feasible at this stage. The main output from the Strategic Options and Preferred Strategy stage will be recorded in the 5th section (plan issues and options). The SA Report can be developed as a roll-forward of previous outputs from SA. Much of the 4th section of the SA Report (sustainability objectives, baseline and context) will come from the SA scoping report.

**Figure 6C: Example structure and contents of the SA Report (incorporating the Environmental Report)**

Structure of Report	Information to include
Components making up the Environmental Report	Table sign-posting the components of the SA Report which make up the Environmental Report for the purposes of the SEA Directive.
1. Summary and outcomes	1.1 Non-technical summary. 1.2 A statement of the likely significant effects of the plan. 1.3 Statement on the difference the process has made to date. 1.4 How to comment on the report.
2. Appraisal Methodology	2.1 Approach adopted to the SA. 2.2 When the SA was carried out. 2.3 Who carried out the SA. 2.4 Who was consulted, when and how. 2.5 Difficulties encountered in compiling information or carrying out the assessment.
3. Background	3.1 Purpose of the SA and the SA Report. 3.2 Plan objectives and outline of contents. 3.3 Compliance with the SEA Directive/Regulations.
4. Sustainability objectives, baseline and context	4.1 Links to other policies, plans and programmes and sustainability objectives and how these have been taken into account. 4.2 Description of the social, environmental and economic baseline characteristics and the business as usual future baseline. 4.3 Main social, environmental and economic issues and problems identified. 4.4 Limitations of the information, assumptions made etc. 4.5 The SA framework, including objectives, targets and indicators.

Structure of Report	Information to include
5. Plan issues and options	5.1 Main strategic options considered and how they were identified Comparison of the social, environmental and economic effects of the options. 5.2 How social, environmental and economic issues were considered in choosing the preferred option. 5.3 Other options considered, and why some or all were rejected. 5.4 Any proposed mitigation measures.
6. Plan policies	6.1 Significant social, environmental and economic effects of the preferred policies. 6.2 How social, environmental and economic problems were considered in developing the policies and proposals. 6.3 Proposed mitigation measures. 6.4 Uncertainties and risks.
7. Implementation	7.1 Links to other tiers of plans and programmes and the project level (EIA, design guidance etc). 7.2 Proposals for monitoring.

Source: ODPM SA Guide, Appendix 15, Figure 40, November 2005, with slight amendments

## 6.6 Public Consultation on the Preferred Strategy

### 6.6.1 Testing and refining the preferred strategy

The documents setting out the preferred strategy and including the SA findings should be publicised over a six-week period. LDP Regulation 15 explains the necessary advertisement and inspection procedures. A Model Notice is included in Annex D of this Manual (Notice 1).

The authority should provide a comments form with the preferred strategy document, in electronic and paper format. The Planning Portal should contain guidance on this in due course. To record representations, LPAs are recommended to set up a formal consultation database. Individual comments at this stage will not be provided to the Inspector for consideration at the independent examination (see LDP Regulation 22) but they may be referred to in preparing evidence for the Examination.

Authorities should discuss with key stakeholders any issues raised by the consultation which question the preferred strategic direction of the plan or particular key proposals. The results could usefully be checked against the views of any control group identified in the CIS (see section 4.5).

A general description of how these comments have affected the policies and proposals of the LDP should be fed back to respondents and stakeholders. This will also need to be included in the subsequent Consultation Report to be submitted with the deposit LDP. The report does not need to provide a schedule of individual comments, but must include a general summary of comments and the LPA's responses.

### 6.6.2 Appraising significant changes (ODPM SA Guide, Task D2(i))

If the results of public consultation largely support the preferred strategy, the amount of further SA work may not be substantial. Refinements made to the preferred strategy should be reflected in the SA Report (see section 7.3.6 below).

If on the other hand the LPA pursues a strategy which has not been included in the Preferred Strategy Proposals Document, it would first need to appraise it against the SA Framework. The final SA Report would then need more extensive supplementation or even rewriting. If a new strategy emanates from representations, it would be helpful for those respondents to provide relevant and available information on its effects.

The LPA should also consider consultation comments on the SA and adjust the SA Report where deemed necessary.

## 6.7 Summary of Strategic Options and LDP Preparation Tasks

LDP Stage	SA	SEA
Check issues and identify strategic options with partners including strategic sites. Seek consensus on preferred strategy.	SA of strategic options. Use results to inform and/or refine preferred strategy.	Identify, describe and evaluate significant environmental effects for "reasonable options" (indicate reasons for selection of options). Consider mitigation. Have regard to results when selecting preferred option.
Produce Preferred Strategy Proposals Document. Public consultation on preferred strategy (6 weeks).	Publicise SA findings.	Publicise and consult on draft Environmental Report (part of SA) (minimum 28 days).
Consider representations on preferred strategy. Analyse and review with key stakeholders. Consider testing representation with a control group.	Consider consultation responses on SA. Assess any new options or changes proposed to those assessed.	Consider consultation responses re environmental aspects.



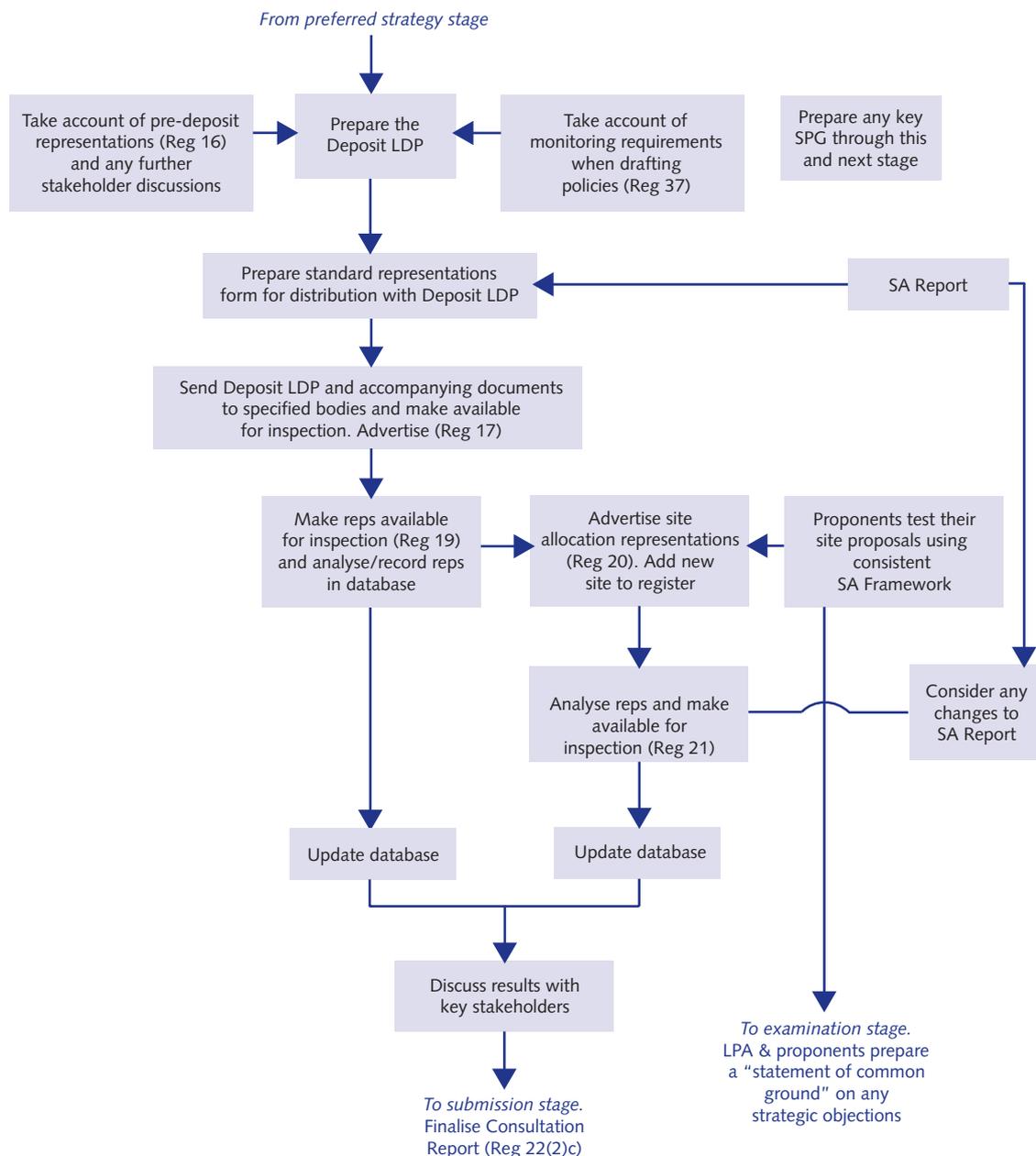


## 7 LDP Preparation and Deposit

### 7.1 Introduction

This chapter provides guidance on issues of plan format and presentation. It also covers the tasks involved in placing the LDP on deposit and handling subsequent representations, including on new or alternative sites.

**Figure 7.1: LDP Preparation and Deposit**



## 7.2 LDP Themes

Informing LDP production through SA	The Deposit LDP must be accompanied by the updated SA report (6.3.6 and 6.4.1); proposed alternative sites must be assessed against SEA objectives, SA Report. Section 7.5.2
Stakeholder and community dialogue	The Deposit LDP must be accompanied by a Consultation Report which describes the nature and scale of consultation responses (7.4.1, 7.6.1). The public may propose new or alternative sites and have the opportunity to comment on those proposed by others. Section 7.5.2
Policy integration	LDPs should be prepared in accordance with the Wales Spatial Plan (Section 6.3.2) and other high level plans.
Faster and more responsive plan making	Standard form for reps - more efficient to process; focus attention on same key issues; having a database of objections makes responding more efficient. Section 7.4.2
More strategic, concise and distinctive plan making	The LDP is not to be a detailed DC manual; should be succinct and phrased in such a way as to be clear and widely applicable. Section 7.3.3

## 7.3 Preparing the Deposit LDP

### 7.3.1 Structure

Early consideration should be given to the structure for the LDP. The following elements should be included:

- introduction;
- a Strategy (including a Vision, strategic issues, key aims and objectives, key policies, monitoring targets and indicators, broad locations for delivering sustainable development needs, and spatial interpretation of the strategy);
- area-wide policies for development expressed generically where possible, including topic-based policies;
- major allocations of land;
- specific policies and proposals for key areas of change or protection;

- succinct reasoned justification to explain policies and to guide their implementation; and
- proposals map on a geographical base (with inset maps, where appropriate).

Further guidance on each element is given in LDP Wales, paragraphs 2.26 and 2.7.

One possible structure for an LDP can be found in the Denbighshire Pathfinder exercise (2004), shown in Figure 7.2.

**Figure 7.2: Sample LDP structure**

1	Introduction	Setting the local context for the plan period, issues to be addressed in the plan, means of promoting sustainability.
2	Strategy, Land Allocations, Core Policies and Monitoring	Illustrated with a diagrammatic map showing the broad strategy. Includes the housing provision table. Allocated sites shown on Proposals Maps (countywide and individual maps for each town and village). Includes a list of monitoring indicators.
3	County-wide generic policies	Covering sustainable development, amenity, access, parking, design.
4	Area-specific policies including key areas of change or protection	Covering development in towns and villages, the countryside, green barriers, AONB/AOB, town centres, a particular seafront, specific major mixed development areas.
5	Topic based policies	Covering affordable housing, advertisements, agricultural workers' dwellings, employment.

An alternative approach after the Introduction and Strategy chapters, is to put greater emphasis on explaining the plan proposals on a geographical basis, with chapters on different parts of the authority area, e.g. the main urban area, the coastal strip, the rural area etc. There is a risk with this approach that some elements of common policy (e.g. affordable housing) would be duplicated in each geographical chapter. It would be appropriate to list all references to a given topic in a table, so that all elements of one policy could be understood together.

Decisions will need to be made by each LPA on how to ensure that LDPs are strategic. For example defining village development boundaries, although in itself a detailed matter, could be an important part of implementing a strategy for protecting the countryside if these are considered on an authority-wide basis. The strategy should set out the main direction of the plan in terms of significant policy and allocations impacting on an authority wide basis.

### 7.3.2 Strategy

The strategy, together with the rest of the plan, is a basis for considering the soundness of the plan and new proposals.

The sustainable development themes in the Wales Spatial Plan should be considered when drafting the LDP's strategic objectives and strategy, namely:

- building sustainable communities;
- promoting a sustainable economy;
- valuing our environment;
- achieving sustainable accessibility; and
- respecting distinctiveness.

Relevant themes from other strategic Assembly Government policy or PPW should also be considered.

The strategy should cover a range of topics, including those set out below.

#### **Broad scale, location and type of development, based on:**

- a justifiable policy approach to predicted development demands (or decline);
- a sustainable scale and pattern of development and travel;
- making best use of existing developed areas and building stock;
- minimising new build/greenfield development;
- the sustainability of the built development in terms of energy consumption, renewable energy technology and utilisation of resources;
- the necessary infrastructure (e.g. waste facilities, sewage works etc) to minimise the environmental damage caused by existing and new developments; and
- protection and enhancement of the environment, including biodiversity.

#### **Regeneration/promotion of urban and rural areas to:**

- improve vitality, attractiveness and viability of town and other key centres;
- promote any necessary economic restructuring; and
- improve the quality of the natural and built environment.

#### **Creation, maintenance and enhancement of sustainable communities to provide for:**

- safe, attractive and stable localities;
- affordable housing and facilities; and
- local distinctiveness, including the needs and interests of Welsh culture and language.

Further advice on topics for the strategy can be found in PPW and the PPW companion guide.

The strategy should identify the key areas of change on which it relies. These are locations where significant changes will occur in the life of the plan, e.g. areas of major residential development or new communities, and areas of certain economic/physical change e.g. through a major factory closure, the interventions of a regeneration agency, or public infrastructure provision.

### 7.3.3 Policy drafting

Guidance on drafting policies is contained in LDP Wales, paras 2.1-2.5.

An LDP should be a strategic document that focuses on the authority's objectives for the use and development of land in its area and the general policies for implementing them. It is not a detailed development control manual. Authorities should consider the need for new or revised Supplementary Planning Guidance when setting out their Delivery Agreement (see section 4.4.2 above, and also section 7.3.5 below).

PPW, MPPW and the PPW Companion Guide provide advice about the policy context of the plans (see section 1.5). Useful advice is also provided in the Planning Officer's Guide to Spatial Planning Practices. In particular, the Companion Guide sets out clearly those policies which it will not be necessary for the LDP to include or revise, as well as identifying those which will need to be interpreted at the LDP level.

Model policies have been suggested by some as a way of speeding up the LDP preparation process. These would avoid the need for LPAs to "reinvent the wheel" in terms of seeking a wording that would be considered sound following independent examination. Excess use of such policies could lead to 'any place' plans which should be avoided.

In general,

- LDPs should be clear and concise documents;
- policies should be positive and succinct;
- supporting text can be amalgamated and should be restricted to matters that are fundamental to justifying policy;
- unnecessary policies should be excluded;
- national policies should not be repeated, but their application to the local area should be explained where relevant;
- a policy should not be sought for every eventuality;
- areas of search should be identified, particularly for environmental infrastructure such as waste facilities, where site specific proposals have not been identified; and

- criteria based policies should be included against which windfall and very small sites can be assessed. Definition of a very small site may require thresholds to be defined, probably separately for urban and rural areas.

In detail, authorities should:

- consider more generic forms of policy, thus avoiding the duplication of development control criteria for several separate types of development;
- promote certain outcomes, rather than expressing policies as constraints;
- think strategically and consider the distinctiveness of the area, rather than trying to rely on standard policies;
- avoid unnecessary numbers which may date quickly (nb. there are limitations on this where it is a key policy component e.g. housing provision numbers, affordable housing targets, housing density guidelines);
- remember that the Plan has a long 'shelf life'; ensure that there is sufficient flexibility built in so that if circumstances change, for example as a result of needing to adapt or mitigate climate change impacts, or if a major site or piece of strategic infrastructure does not come forward as anticipated, there are generic policies against which alternatives can be judged; and
- formulate policies so that they can be monitored and are suited to various cycles of economic, social or environmental change, e.g. through phasing policies.

The reasoned justification should contain an explanation behind the policies and proposals in the plan. It should not repeat what is written in the policy and avoid narrative that is self-evident or clear from the policy itself. In addition, the reasoned justification should not contain policies and proposals which will be used in themselves for taking decisions on planning applications. The policies and proposals should be readily distinguished from the reasoned justification.

#### **7.3.4 Proposals Map**

The Proposals Map and the use of inset maps are described in LDP Regulation 12 and LDP Wales, paragraphs 2.24-2.26. They must be presented on an OS base. For ease of use, LPAs may find it helpful to use a common set of symbols for all the LDP maps.

In addition, a Key Diagram (using generalised symbols and arrows, not on an OS base) can be a useful way of illustrating the broad strategy for an area.

Land should not be allocated on the Proposals Map outside the plan period. For example if it were proposed to develop a major housing site whose development programme would extend beyond the plan period, only the initial phases of the development within the plan period should be shown on the Proposals Map. However the direction of future growth beyond the plan horizon could usefully be indicated on a Key Diagram by the use of an arrow and explained in the legend or in the text.

Mineral safeguarding policies are an exception, whereby land **should** be allocated on the Proposals Map beyond the plan period, due to the need for long-term protection to prevent their sterilisation by other permanent development.

Extant planning permissions (for major sites) may be shown on the Proposals Map, or presented as a list in the text of the LDP.

### 7.3.5 Supplementary Planning Guidance

The emphasis on more strategic and focused LDPs serves to increase the potential use of SPG, which can provide further detailed information in support of the LDP. It will be important to consider the potential role of SPG in relation to the LDP strategy and policies, and also in terms of the implications for resources, the timetable, and monitoring. The LDP contains policy; SPG contains guidance and advice only. All SPG should derive from a generic policy or - in the case of a brief - from a site allocation. SPG should not be used to determine the appropriate type, scale and level of development for particular sites. They should go through a process of consultation followed by necessary changes before formal adoption. SPG that do not meet these criteria are likely to be given less weight at any appeal.

LPAs should review the effectiveness and relevance of their existing SPG early in the preparation of the LDP. Existing SPG should be revised to state which LDP policies it supplements. The LDP should note which of its policies are supplemented by SPG.

Authorities should identify key SPG which is crucial to the implementation of the LDP (as discussed in 4.4.2). The Delivery Agreement should establish what SPG will be prepared (or revised) and when, and identify the means of community involvement suitable for different types of SPG (see section 4.5.2). The Delivery Agreement timetable could also indicate when SPG would be issued for consultation and the length of that consultation.

Policy on the role of SPG and its method of preparation is given in LDP Wales, Chapter 5. In development control terms, SPG will have a key role in interpreting and expanding on generic policies in the LDP. SPG can:

- provide important guidance to expand on topic-based policy to assist the implementation of the LDP (e.g. conservation area detailed policy);
- cover detail and numerical guidelines/thresholds where they may change so as to avoid the LDP becoming quickly outdated and to assist flexibility (e.g. car parking standards) (nb. there are limitations on this where it is a key policy component e.g. housing provision numbers, affordable housing targets, housing density guidelines); and
- provide additional detailed guidance on the type of development expected in an area allocated for development in the LDP. This could take the form of a development brief or a more design orientated master plan.

In preparing SPG, it is important to consider the following procedural issues:

- development control colleagues should be involved;
- relevant consultees (LDP Wales) should be consulted;
- a draft should be made available for public consultation;
- SEA Regulations 'screening' process should be used if considered necessary (see paragraph 5.6.1);
- SPG should be formally adopted by the LPA, so that proper weight can be given to it by Inspectors when determining appeals;
- adopted SPG should include, or reference, a statement of consultation and any changes made; and
- its effectiveness alongside the policy it supplements should be evaluated as part of the annual monitoring process (see section 9.4). (Annual monitoring also has a role to play in identifying the requirement for any new or updated SPG.)

Where SPG relates to, and would help the understanding of, the implications of the plan or a particular policy (key SPG), it should be prepared and consulted on in parallel with the LDP. SPG is not subject to examination but should be consistent with national policy. It should not be adopted formally until after the Inspector's report is received on the LDP, and the policy approach has been confirmed. Any documents adopted as SPG should accord with the accepted procedures for SPG (i.e. consultation, revision and approval).

### **7.3.6 Finalising the SA Report (ODPM SA Guide, Task C1)**

Most of the hard work will have been completed in preparing the SA report at pre deposit stage (see section 6.5.3 and Figure 6C above). This will have described the appraisal of the main strategic options and the reasons for selecting the preferred strategy.

At this stage, the SA Report should include the results of assessing any revised or new LDP option resulting from public consultation, and update if necessary the assessment of the strategy included in the deposit LDP.

It will also need to take account of relevant representations on the SA at pre deposit stage and document such changes.

In preparing the deposit LDP a number of additional policies and small sites may have been added. The SA Report should describe how these perform against the SA Framework (section 5 of the SA Report structure at Figure 6C).

In total it should include a description of the economic, social and environmental effects of the plan policies (section 6 of the SA Report structure).

The Non Technical Summary and any other background material should also be updated.

## 7.4 Placing the LDP on Deposit

All documents, including any summary of the LDP, should be made available in paper form (at reasonable cost) as well as on LPA websites. A Model Notice is set out in Annexe D (Notice 2).

### 7.4.1 Advertising the Deposit LDP

The Deposit LDP must be advertised in accordance with Regulation 17. Together with other specified documents, it must be sent to the Assembly Government and to the consultation bodies referred to in Regulation 14, namely the statutory consultees and any others specified in the CIS.

The substantive accompanying documents are:

- the SA report (see section 6.5.3 above);
- a list of supporting documents relevant to the preparation of the LDP - this comprises key parts of the evidence base on which the LDP is founded (it is important that respondents have access to these if requested, so as to inform their representations); and
- the initial Consultation Report (see also section 6.5.1).

The initial Consultation Report should refer to the CIS and identify:

- those who were engaged in developing the LDP (Regulation 14);
- a justification of any deviation from the CIS;
- the main issues raised through consultation (Regulation 15); and
- how responses have affected the policies and proposals in the Deposit LDP.

A **6 week period** must be allowed for responses to representations on the Deposit LDP in accordance with LDP Regulation 18. In preparing their responses, community representatives and members of the public may wish, where appropriate, to seek assistance from Planning Aid Wales.

### 7.4.2 Using a standard form for representations

The subsequent recording and analysis of representations is much easier if a standard form is used. A Model Form and accompanying Notes will be contained in the *Guide to the Examination of Local Development Plans (2006)*.

The form is structured to relate to the 10 tests of soundness set out in LDP Wales (section 4.35) and repeated in paragraph 8.3.1 of the Manual. Anyone wanting to comment on or object to the plan should indicate why they consider the plan to be unsound and what changes are necessary to make it sound. The form also encourages support for the plan to be recorded.

In all cases, respondents should specify the particular part of the plan to which their representation relates, by paragraph, policy number, or to the Proposals Map. In the case of a perceived omission, respondents should indicate where the proposed new policy or supporting text should go. Respondents should identify how their representation fits with the overall strategy, and the appraisal conducted under the SA framework. This will be essential where the representation seeks the inclusion of a new site.

The advice note contained in the Inspectorate's Guide provides further explanation of the 10 tests. These are grouped into three categories covering:

- application of procedures (2 tests);
- consistency with other policies, plans and strategies (4 tests); and
- coherence and effectiveness of the plan's content (4 tests).

LPA's will have to register any representation relating to planning considerations, not just those explicitly concerned with soundness. Section 64(6) of the Act requires that any person making representations seeking a change (i.e. making an objection) must be given an opportunity to be heard, unless they withdraw their objections.

### **7.4.3 Handling representations**

All representations should be made available for the public to view. It is recommended that a summary list of these is posted on the LPA's website with details of where they can be viewed. The procedure for making non site-allocation representations available for inspection is set out in LDP Regulation 19.

It is recommended that the LPA set up a consultation database (which, once completed, can be made available for the public to view) as a tool to process the representations if they have not already done so. Information should include the following fields, as a minimum:

- respondent details;
- the specific part of the plan to which their representation relates;
- whether they support or object;
- on which soundness test(s) they base their objection (or if not specified, where it best fits);
- any suggested changes to the plan (see section 7.5); and
- any pre examination contact with respondents (see section 7.6.1).

The fourth field (soundness) is particularly important as the examination will be structured around the soundness tests (see section 8.4.2).

In the fifth field above (suggested changes), any proposals for new or alternative sites, or for the deletion of sites allocated in the deposit LDP, must be capable of being flagged separately so that immediate action can be taken (see section 7.5 below).

The database should be capable of being interrogated such that similar representations are capable of being identified, to allow the Inspector to group objectors at the examination, where appropriate.

Consultation database software exists in various forms; there may be scope for sharing good practice between authorities or between different departments. Lessons learned through the implementation of wider e-government initiatives and the online submission of planning applications may be of value.

## **7.5 Site Allocation Representations**

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### **7.5.1 Advertising new or alternative site proposals**

Authorities must advertise any site allocation representations - according to the provisions set out in LDP Regulation 20. This includes those that add a site, or alter or delete a site previously allocated in the Deposit LDP. A Model Notice is included at Annexe D of the Manual (Notice 3).

The local advertisement should identify the broad localities in which site allocation representations have been received. LPAs may indicate in their CIS whether neighbours will be notified of these representations.

The period for representations concerning any new or alternative sites is 6 weeks (LDP Regulation 21).

Any representations received must be made available for inspection as with those for the Deposit LDP, and should also be entered on the consultation database.

### **7.5.2 Assessing new or alternative site proposals (Proponents' SA)**

This process is necessary so that the Inspector can be confident that everyone affected has had the opportunity to comment before he/she makes a change to the Plan.

Under the LDP system there should be far fewer alternative sites (previously termed "omission sites" by the Planning Inspectorate) put forward at the deposit stage, given that landowners, developers and residents will have had a greater opportunity to engage earlier in the LDP preparation process (see section 5.4.4 above).

In proposing any new or alternative site, a proponent will need to show that the site accords with the LDP strategy, that the LDP would be sound if the site is included. These requirements apply to every alternative site put forward.

If an alternative site has already been assessed as part of the authority's earlier SA of options, but a developer or owner objects to the outcome of the LPA's assessment and seeks to have that site included, it will be dealt with at the examination as an objection. It will be helpful for the proponent to demonstrate why they consider the LPA's assessment is flawed.

If there has been a material change in circumstances affecting a previously rejected site, or a completely new site is put forward, it is the responsibility of the proponent to test the effects of their site using the LPA SA framework. LPAs should provide guidance on what would be required for SA which the proponent would be expected

to follow. LPAs should make available to the proponent a copy of the baseline information/evidence and SA report, and should encourage them to use a consistent methodology considering SEA effects within the SA framework. Those who object to the site's inclusion should be provided with a copy of any relevant SA work, either by the proponent or by the LPA. The results of the assessment may be considered at the examination.

There will be no vetting process to ensure that submissions are satisfactory in terms of SA: any vetting will take place as part of the examination before the Inspector since the SA is part of the evidence base that should support the policies and proposals in the deposit LDP. If a new or alternative site has not been subject to any SA, it is unlikely that the Inspector will be in a position to recommend its inclusion in the LDP. In the absence of that essential evidence the Inspector would be unable to conclude that the LDP would be sound with that change.

See section 8.4.4 for further details on the examination of alternative sites.

The LPA should include a summary of any new or alternative sites in their Consultation Report (see 7.6.1) regarding who has responded and the LPA's views on the sites.

## 7.6 Preparations for Submission

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### 7.6.1 Updating the Consultation Report

Where there are strategic and/or substantial objections to the deposit plan, or ones from statutory consultees, the LPA may wish to discuss further with the respondent(s), whether they will reconsider their objection, and which aspects can be agreed in order to narrow the disagreement to its essentials. Including areas of agreement/disagreement in a "**statement of common ground**" for the Inspector would be helpful at this stage. Any subsequent contact with respondents should be identified in the consultation database.

The LPA should finalise its consultation database, indicating in the final field whether it agrees or disagrees with the representation or what compromise might be available.

The LPA should update its Consultation Report by summarising the representations made at the deposit stage, including at any site advertisement stage, and their responses. The report should include a list of any changes to the plan suggested by respondents with which the LPA agrees.

The LPA should make a list of all the parties who are to be informed of the forthcoming examination, the publication of the Inspector's Report and the adoption of the LDP. This should be drawn from extant lists of statutory consultees and all those who submitted comments on the Deposit LDP. (*LDP Regulations 24 and 25*)

Beyond an acknowledgement of receipt, LPAs are not required to respond to individual representations, although some may choose to do so.

LPAs are however required to notify all respondents of the forthcoming Examination, explain the subsequent process, and indicate how feedback on the outcome will be handled (see also section 4.5).

### **7.6.2 Updating the SA Report**

The LPA should consider all consultation comments at deposit or alternative site stage on the SA Report and consider the need for any changes. This might include for example additional information for the baseline or new effects at local area that had not previously been identified. Any resulting changes should be well documented.

### **7.6.3 Dealing with late changes in circumstances (LDP and SA)**

LPAs should not propose formal changes to the Deposit LDP prior to examination. Exceptionally, where there has been an external change, for example new national planning policy or a major change in local circumstances, it would be helpful to the Inspector for the LPA to indicate whether it suggests any related changes to the LDP.

In practice it will not be possible to introduce any changes that are major and any changes in any event must meet SA requirements. Major policy changes may well have to be delayed for future review.

Where the LPA wishes to pursue a change at this stage that would have major implications for the plan strategy, the LPA should ensure the change has gone through the SA assessment process. The LPA should also consider whether a further round of consultation is necessary, and any changes to its SA report. Further consultation is recommended on any significant changes which the LPA intend to recommend to the Inspector.

## 7.7 Summary of Deposit Tasks

LDP Stage	SA	SEA
Preparation of deposit LDP.	Prepare SA report.	Preparation of Environmental Report indicating how regard has been had to SEA and associated consultation.
Formal deposit 6 weeks.	Formal deposit of SA Report.	Make Environment Report (incorporated in the SA Report) available with deposit plan (minimum 28 days).
Representations on Deposit LDP.	Representations on SA.	
Advertise alternative sites generated by respondents.	Notify proponents about the need to test any new or alternative sites against the same criteria as used by the LPA.	Ensure proponents take account of SEA objectives in any testing of new or alternative sites.
Representations on alternative sites.		
Update Consultation Report.	Update SA Report.	Update Environmental Report.
	Consider any further SA if exceptional late changes.	Incorporate SEA effects in any further SA of exceptional late changes.



## 8 Submission, Examination and Adoption

### 8.1 Introduction

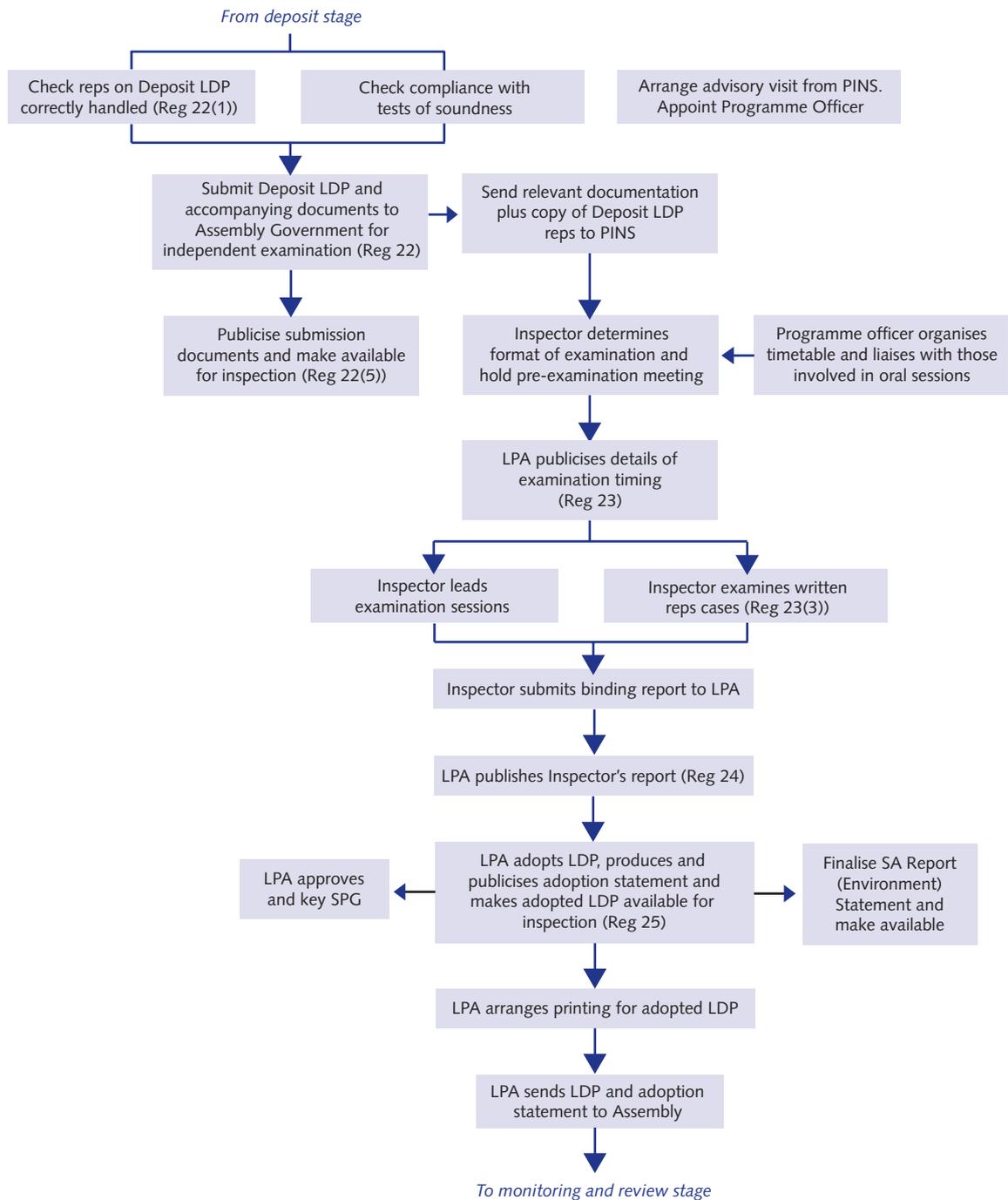
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This chapter provides guidance on the tasks involved in submitting the LDP. It includes the role of the Inspector at the examination and what will be expected of the authority and other participants at the examination, drawn from the Planning Inspectorate *Guide to the Examination of Local Development Plans (2006)*. This chapter also covers the final adoption of the LDP after receipt of the Inspector's binding report.

When the LDP is submitted for independent examination, the authority must publicise the submission and both publicise and make available the relevant documentation (LDP Regulation 22).

A Model Notice is included at Annexe D of this Manual (Notice 4).

**Figure 8.1: Submission, Examination and Adoption**



## 8.2 LDP Themes

Informing LDP production through SA	SA report is submitted. Section 8.3.2
Stakeholder and community dialogue	CIS and Consultation Report submitted (8.3.2). To be sound, plan preparation must follow the CIS. Section 8.4.2
Policy integration	Consistency is a key element of soundness (8.3.1). Changes proposed by the Inspector must accord with national policy and the WSP. Section 8.4.5
Faster and more responsive plan making	The emphasis on written reps is expected to save time at Examination (8.4.3). There should be no more than 12 months between submission and the Inspector's report. The report is binding. Section 8.4.1
More strategic, concise and distinctive plan making	The focus of the Examination is the assessment of the LDP as a whole: emphasis on strategic issues. Section 8.4.1

## 8.3 Submission

### 8.3.1 Soundness checks

Submitting the LDP for independent examination involves sending the Deposit LDP and accompanying documents to the Assembly Government and to the Planning Inspectorate, in accordance with LDP Regulation 22.

The LDP should ensure that its LDP is "sound" before it is submitted (LDP Wales, para 4.32). The soundness tests are listed below.

#### Soundness Tests

##### Procedural

- P1** The plan has been prepared in accordance with the Delivery Agreement including the Community Involvement Scheme.
- P2** The plan and its policies have been subjected to Sustainability Appraisal including Strategic Environmental Assessment.

## **Consistency**

- C1** It is a land use plan which has regard to other relevant plans, policies and strategies relating to the area or to adjoining areas.
- C2** It has regard to national policy.
- C3** It has regard to the Wales Spatial Plan.
- C4** It has regard to the relevant Community Strategy/Strategies/National Park Management Plan.

## **Coherence and Effectiveness**

- CE1** The plan sets out a coherent strategy from which its policies and allocations logically flow and, where cross boundary issues are relevant, is not in conflict with the development plans prepared by neighbouring authorities.
- CE2** The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust and credible evidence base.
- CE3** There are clear mechanisms for implementation and monitoring.
- CE4** It is reasonably flexible to enable it to deal with changing circumstances.

This means that an LPA should double-check before submission that it has complied with the tests of soundness, including following all the relevant Regulations, and that the plan is consistent internally and has had regard to other local plans and strategies.

The Assembly Government will monitor consistency with national policy throughout the LDP preparation process, and is likely to discourage submission if there is a fundamental conflict. If a plan is fundamentally unsound this will be drawn to the attention of the LPA so that any necessary action (i.e. withdrawal) is taken before submission. If the Assembly Government makes an objection based on soundness in the normal way, it will be considered at the examination. But fundamentally unsound plans should not be submitted for examination.

### **8.3.2 Submission documents**

The package of documents that should be submitted comprises:

- the Deposit LDP (see section 7.3);
- the report of the sustainability appraisal which should incorporate the SEA Environmental Report;
- any key supporting evidence base material and technical documents such as the housing needs survey (or link to website);
- the Community Involvement Scheme (see section 4.5) or link to website;
- the Consultation Report (see below);

- a copy of every representation received on the deposit LDP and on any subsequently advertised proposals for new or alternative sites, or changes to allocated sites (for the Planning Inspectorate only);
- a report of the authority's suggested changes in response to new information, including alternative sites not previously considered that in the authority's view would amend the deposit plan without jeopardising its soundness (see section 7.5) (such sites could only be recommended for inclusion if all the accompanying evidence had been submitted by the objector, and the site(s) met all the tests in section 8.3.1); and
- a statement of the suggested main issues for consideration at the examination and a suggested procedure for dealing with them - this will act as guidance to the Inspector, whose prerogative it is to determine such matters<sup>17</sup>.

LDP Regulation 22 sets out the numbers and form of submission copies, and the required means of advertising this package of submission documents.

The Consultation Report should update and expand upon the initial Consultation Report (see section 7.4.1).

The Consultation Report should set out the following information:

- the representative bodies consulted during the preparation of the LDP (or a link to the CIS);
- a summary of the main issues raised, and the LPA's recommendations on them;
- the number of representations received (and broad distribution by policy area);
- the authority's recommendations on representations on any advertised proposals for new or alternative sites, or changes to allocated sites (see section 7.5);
- the authority's recommendations on each of the deposit representations - this should be as short and simple as possible, and should use previously prepared material (e.g. reference to a committee report or the consultation database); and
- any deviation from the Community Involvement Scheme.

## 8.4 Examination

A Model Notice is included at Annexe D of this Manual (Notice 5).

### 8.4.1 Function and timescales

The fundamental concept of the new LDP system is that the plan is the product of a thorough and comprehensive process of engagement with the community, where the authority has considered the options and refined the strategy to produce what it considers to be a sound plan. The presumption will therefore be that the LDP is sound unless it is shown to be otherwise as a result of evidence considered at the examination.

<sup>17</sup> Guide to the Examination of Local Development Plans, the Planning Inspectorate

The function of the examination is to assess the soundness of the submitted LDP as a whole rather than simply considering individual objections. The Inspector will consider individual objections on the basis of how these address the LDP's overall soundness.

The examination should be a quick and efficient part of the overall process of delivering an up-to-date LDP. The period of time from formal submission of the LDP to issue of the Inspector's report should take no more than 12 months.

The Planning Inspectorate will appoint an independent Inspector or team of Inspectors, on behalf of the Assembly Government. Where the issues are complex or there are a large number of objections, it may be necessary to appoint one or more assistant Inspectors in order to avoid delay. Planning assistants may also support the appointed Inspector, and/or assist with Welsh language representations.

Early discussions with the Planning Inspectorate are useful to clarify the timetable and procedural aspects for the examination. Authorities should request an advisory visit by the Planning Inspectorate to discuss the appointment and role of a Programme Officer and the handling of the examination.

The LPA will appoint a Programme Officer with suitable administrative experience. It is important that the Programme Officer is appointed early in the process. The Programme Officer is responsible for:

- managing the day-to-day arrangements of the programme before and during the proceedings;
- recording all documents and plans submitted during the course of the proceedings;
- arranging for the inspection of the sites by the Inspector; and
- dealing with correspondence with objectors and the authority on behalf of the Inspector, including requests for and exchanges of all statements.

The most likely source of an experienced Programme Officer is from a pool of independent officers, for which the Planning Inspectorate holds a list. Programme Officers should be in post by the deposit LDP stage.

Accommodation for the formal proceedings is provided by the LPA. Adequate arrangements must be made for accommodating participants, the general public and the press as well as the Inspector and Programme Officer. The accommodation should be accessible both in terms of public transport and in terms of suitability for disabled people.

The LPA must give the requisite notice of the examination (set down in LDP Regulation 23). The notice should outline how, where, and when the proceedings are to take place, their purpose, and the name of the Inspector. The LPA must also inform those that are entitled to participate in the examination.

### 8.4.2 Soundness Tests

The examination is structured around the soundness tests, as expanded by the Planning Inspectorate in their *Guide to the Examination of Local Development Plans (2006)* (summarised at 8.3.1 above). These indicate the key questions that need to be addressed and the type of evidence that the Inspector will use in making his/her judgements on each soundness test.

The examination of different parts of the LDP may focus on different aspects of the soundness tests. For example, the consistency tests will be particularly important in assessing the strategy, including consistency with national policy and having regard to the Wales Spatial Plan. Examinations of site-specific allocations need to consider coherence and whether they flow from the strategy, the alternatives considered and their appropriateness. For key areas of change or areas of protection, the issues may be related to deliverability and implementation.

### 8.4.3 Participation in the examination and format

The Inspector's role is proactive. He or she will hold a pre-examination meeting to identify the issues to be discussed and the format for the examination, and may hold subsequent programming and agenda-setting meetings.

Much of the evidence is expected to be in the form of written representations. Those representations dealt with by this procedure are given no less consideration by the Inspector than those dealt with orally at the examination. All representations should be focused and avoid repeating contextual material readily available to the Inspector.

The Inspector will require written statements or proofs of evidence to be submitted by a particular date, and arrangements will be put in place for this material to be made available to all participants in the examination.

The Inspector will visit those parts of the area covered by the plan that are of most relevance, and will arrange to see all those sites subject to specific representations. Site visits may be unaccompanied unless the Inspector needs to enter private land or buildings. On accompanied visits, the Inspector is concerned only with observing physical and environmental characteristics and will not discuss the merits of objections or proposals. The Inspector may seek confirmation or clarification of certain features that can be seen on the site during an accompanied visit.

The oral part of the examination will take the form of a public discussion where the issues to be discussed are identified in advance by the Inspector and participants invited to contribute. Inspectors are able to invite anyone to attend the examination, including supporters, and, where necessary, those who made no representations, or have not asked to be heard, if this would be essential to determine the soundness of the plan.

The Inspector will ensure that those who have exercised their right to be heard (see section 7.4.2. above) have the opportunity to participate in the examination in the most efficient and effective manner. 'The right to be heard' essentially means the right to make representations to the Inspector and to appear in person at the examination. The way in which they are heard is a matter for the Inspector. The Inspector will group

objectors together to ensure the most efficient use of examination time, for example if they relate to the same site or group of sites, the same settlement or policy.

The Inspector will determine the procedures to be used to hear representations orally, with the presumption that they will be informal. Most will be heard by round table discussion, which has particular applicability for assessing the strategy, or hearings which may, in some circumstances, be more appropriate for the detail of assessing specific site allocations.

Formal hearings may be used if the Inspector considers this necessary and appropriate, usually where the evidence needs to be tested in a more inquisitorial manner with the assistance of advocates. Even then the examination will be led by the Inspector, adopting the most efficient procedure to enable him/her to determine whether the LDP is sound.

The sequence in which matters is examined is determined by the Inspector depending on the nature of the issues chosen for debate. Generally there are benefits in examining the strategy in advance of site allocations, especially where the strategy is controversial.

Objectors, including those who are to be heard at the examination, should rely on their original representation unless they have additional new information that would help the Inspector. No substantive new material should be brought to the examination which has not been considered by the LPA during the preparation of the LDP, unless it is essential to substantiate an objection (see section 8.4.5 below). Most substantive new information is best considered in a review of the adopted plan.

There may be scope for concurrent sessions within an examination led by different members of the Inspectors' team where issues chosen for debate are not interrelated, subject to availability of staff resources. There may also be scope for joint examinations or partial joint examinations, where adjoining authorities have similar issues to address and their LDPs have reached similar stages.

At the start of the opening session of the examination, the Inspector will explain:

- the nature and purpose of the examination;
- that a resulting report will be made to the LPA;
- the role of any assistant Inspectors or planning assistants;
- what was agreed at the pre-examination meeting;
- the timetable for the examination; and
- details of the arrangements for any site visits.

#### **8.4.4 SA aspects (ODPM Task D2(ii))**

It is for the LPA to satisfy itself that it has carried out the SA correctly. The role of the Inspector at examination is to consider the soundness of the LDP using the SA as part of the evidence base.

There may be circumstances in which it appears to the Inspector that the evidence in the SA is either insufficient to come to satisfactory conclusions about the soundness of the LDP, or that the SA is actually deficient and does not give the necessary support for the LDP. In such cases the Inspector may have to adjourn the examination for the necessary SA evidence to be made available, or to recommend that all or part of the LDP is not adopted until the necessary evidence has been gathered and the SA revised.

If an objector proposes an alternative site which has already been assessed as part of the LPA's SA report, the Inspector will consider the merits of the objector's case that the LPA's assessment is flawed.

Where a new or alternative site is suggested by a respondent at the deposit stage, the Inspector will take account of the proponent's SA information (section 7.5.2 above).

In either case an Inspector will not be able to recommend a change to the deposit plan unless there is sufficient SA information before the Inspector to understand what the effects of the change would be, and is satisfied that the inclusion of the site would result in a sound plan. Any such change has to be based on evidence that shows how the change would affect the plan in terms of its sustainability.

If such site specific SA information is not available, the Inspector could postpone the examination, but to avoid delaying adoption of the LDP, is more likely to call for a subsequent review to address the new or alternative site.

#### **8.4.5 Inspector's report**

The examination will not formally close until shortly before the delivery of the Inspector's report to the LPA, and typically is closed in writing when the Inspector is satisfied that no further information is necessary to inform the consideration of the soundness of the plan.

When assessing the soundness of an LDP, the Inspector will exercise his or her professional judgement based on the evidence available, the representations made, and the particular circumstances of the LDP and the area. The Inspector's overall aim is, wherever possible, to get the LDP to the stage where it is sound and can be safely adopted.

It follows that any changes made by the Inspector in his/her report must themselves be demonstrably sound. Any changes must for example:

- accord generally with national policy and the Wales Spatial Plan;
- not impact directly on anyone who has not had the opportunity to comment;
- be based on the evidence available at the examination;
- be supported by clear reasons based on the evidence;
- accord with the strategy of the LDP; and
- be realistic and capable of delivery.

An Inspector would not be able to recommend including any new or alternative site in the LDP if this would make the plan unsound. However, the Inspector may recommend the inclusion of a new or alternative site if it would be sound to do so.

The most likely outcomes from the assessment of soundness undertaken by the Inspector are that:

- part of the LDP is excluded or changed;
- additional material needs to be included in the LDP before adoption;
- part of the LDP is excluded and subsequently brought forward in revised form in a review of the LDP; and
- additional work is needed before the LDP can be adopted/examined further.

In extremis, if the plan were patently unsound, the Inspector might recommend that it be withdrawn. However assuming that soundness checks are made before submission (see section 8.3.1 above), this eventuality should be unlikely.

There will be an opportunity for the authority to request the correction of factual errors before the Inspector's report is formally submitted to them.

## **8.5 Adoption**

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### **8.5.1 Publication of Inspector's report**

The latest the LPA can publish the Inspector's report is on the same day as it adopts the LDP (LDP Regulation 24(1)a). Adoption must be within 8 weeks of its receipt (LDP Regulation 25(1)). It is at the LPA's discretion as to whether it publishes the Inspector's report in the interim period (unless it receives a direction to do so).

Publication of the Inspector's report involves making copies available for inspection at the locations where the plan was deposited and on the authority's web site, in accordance with LDP Regulation 24.

The Planning Inspectorate will supply the Inspector's report in bilingual form if the LPA requests and funds this.

A Model Notice is set out at Annexe D of this Manual (Notice 6).

### **8.5.2 Adoption Statement and Finalised SA Report (ODPM SA Guide, Task D3)**

When the LPA adopts its LDP, it must publish an adoption statement, advertise this and send it to the Assembly Government in accordance with LDP Regulation 25(2). Publication should be in hard copy and on the authority's website.

The adoption statement should summarise how the LPA has taken the findings of the full SA process into account and how sustainability considerations more generally have been integrated into the LDP. This summary must make clear any changes made to the LDP as a result of the SA process and responses to consultation, or why no changes were made or options were rejected. The SA Report should be finalised to

identify the implications of any significant changes recommended by the Inspector in his/her binding report. It should refer to the proposed SA monitoring measures. This incorporates information required by SEA Regulation 16(4).

The adoption statement need not duplicate a lot of material already in the Inspector's Report, SA Report and the Consultation Report, but could use cross-references to these documents. This should result in a relatively short statement of no more than 2 to 3 pages.

### **8.5.3 LDP Publication**

Final publication of the LDP should follow as soon as possible and as outlined in the Delivery Agreement. The LDP, adoption statement and amended SA Report should be available for inspection by the public at advertised locations in accordance with LDP Regulation 25(2). It is recommended that LPAs produce a summary note of their LDP (this could be a single sheet, or short pamphlet - see 6.5.2 for further details).

An LDP becomes operative on the date it is adopted or, if the plan has been called in, the date it is approved by the Assembly Government. Adoption must be by resolution of the LPA.

A six-week challenge period to the High Court is allowed in the Planning and Compulsory Purchase Act, section 113. The basis of challenge and possible outcomes are explained in LDP Wales, para 6.5.

### **8.5.4 Plan withdrawal**

An LPA may withdraw an LDP at any time before it is submitted to the Assembly Government and Planning Inspectorate for independent examination. Once the plan is submitted, it can only be withdrawn if the Inspector carrying out the examination recommends that it is withdrawn (and the Assembly Government does not overrule that recommendation), or the Assembly Government directs that the plan should be withdrawn.

## 8.6 Summary of Submission, Examination and Adoption Tasks

LDP Stage	SA	SEA
Submit Consultation Report.	Submit Authority's SA Report and Proponent's SA Report(s) on any new or alternative sites not previously assessed.	Submit Authority's Environmental Report and Proponent's SEA report on any new or alternative sites not previously assessed.
Statements of common ground (see section 6.5.1). Pre-examination meeting. Independent examination. Binding Inspector's report.		
Adoption within 8 weeks of receipt of Inspector's report.	Produce SA Adoption Statement.	Inform statutory bodies and issue public notice of adoption and availability of plan, adoption statement of how environmental considerations and representations have been taken into account, and measures for monitoring proposals.

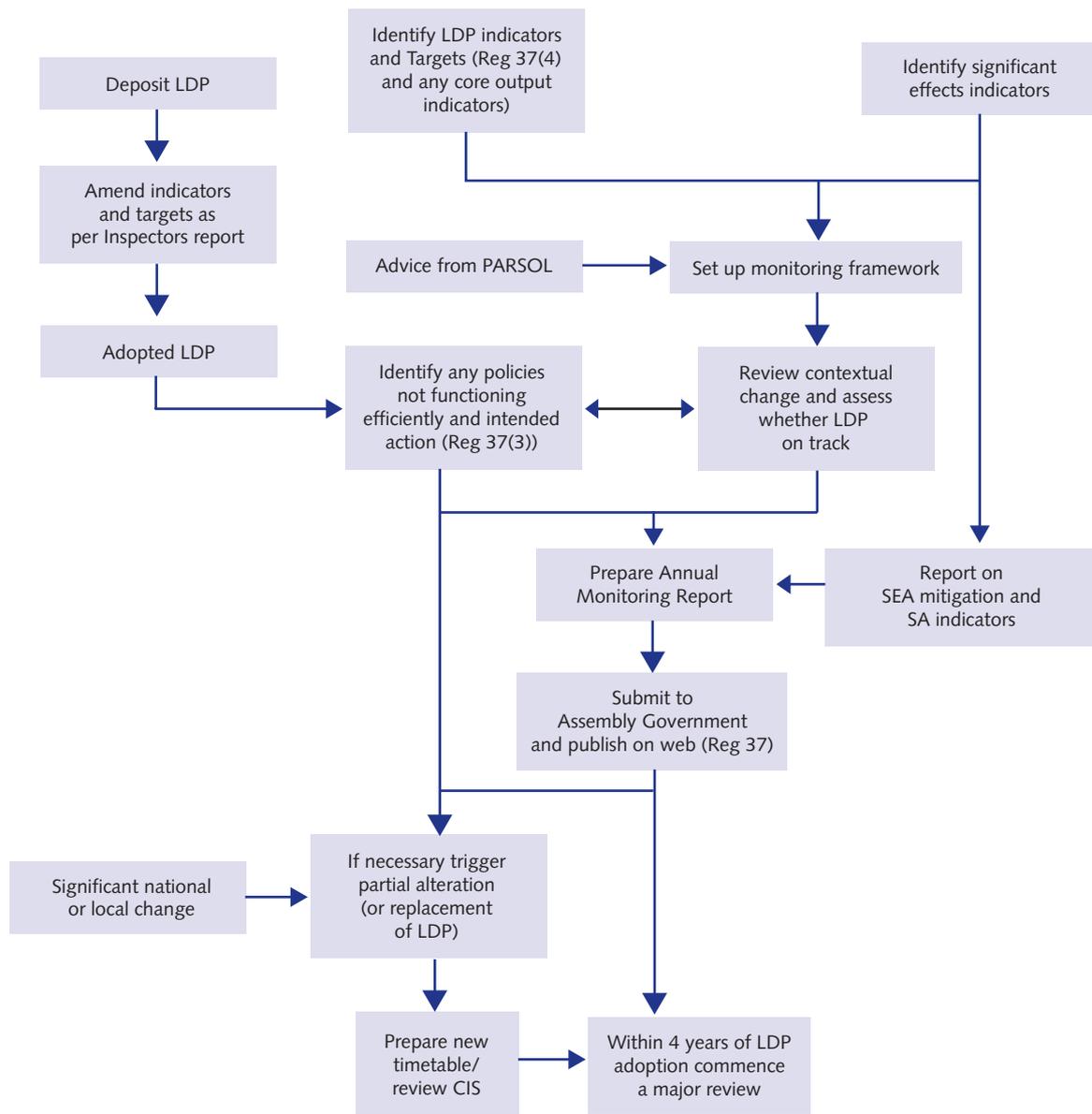


## 9 Monitoring and Review

### 9.1 Introduction

Monitoring is a continuous process from the end of one cycle of plan making to the end of the next. It represents a crucial feedback loop within the cyclical process of policy-making. It connects the baseline/evidence to the strategy and future policy development.

**Figure 9.1: Monitoring and Review**



The Planning and Compulsory Purchase Act requires authorities to keep under review matters that may affect the planning and development of their areas. This is not a new requirement. However, monitoring is an increasingly important aspect of evidence-based policy making (see section 5.4). Indeed, two of the tests of soundness against which the Inspector will assess the LDP at examination are whether:

- the strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust and credible evidence base;
- there are clear mechanisms for implementation and monitoring.

Monitoring takes on an added importance in providing a check on whether movement towards sustainable development is being achieved (see section 9.5.4).

This chapter provides guidance on setting up a monitoring framework, producing an Annual Monitoring Report (AMR), and developing targets and indicators. It also covers tasks in reviewing the LDP.

## 9.2 LDP Themes

Informing LDP production through SA.	SA monitoring should be integrated with other AMR activity: allows actual effects of LDP to be compared against those predicted in the SA. Section 9.5.4
Stakeholder and community dialogue.	Views of key stakeholders should be sought in order to strengthen analytical aspect of AMR. Section 9.4
Policy integration.	Major review (at least every 4 years) may be triggered by a significant change in the policy context (9.6). Targets may be set by national policy. Section 9.5.2
Faster and more responsive plan making.	Monitoring framework should be established at an early stage, maximising efficient use of existing data and the methods by which this is collected. Section 9.3
More strategic, concise and distinctive plan making.	The AMR should be focused on key issues, not prepared as a statistical compendium (Section 9.4). LPAs should identify their own indicators and targets (within the guidelines set down by the Assembly Government). Section 9.5.2-3

### 9.3 Principles for setting up a Monitoring Framework

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Thinking about a monitoring framework should start at the evidence gathering stage (Chapter 5), and indicators will need to be built into the deposit LDP (Chapter 7).

A monitoring framework should identify the key challenges, opportunities and possible ways forward for revising and adjusting the LDP policies. However it should also recognise the limitations that exist in terms of staffing, resources, data availability and timescales.

Four broad principles should underpin the monitoring framework:

- **making use of existing information**, in order to avoid unnecessary duplication with other monitoring, e.g. local authority performance assessment, community strategy and sustainability indicators;
- **setting targets and indicators** to assess whether policies are achieving their stated objectives;
- **taking a forward looking action-oriented approach** in line with “plan, monitor and manage”. This ensures that the emphasis is not just about collecting information, but interpreting it to inform policy review where necessary; and
- **being consistent with relevant national monitoring guidelines**, e.g. in terms of any standard indicators and common definitions.

It is important to recognise the limitations on monitoring including:

- a lack of consistent and relevant information in certain areas, e.g. on some aspects of land-use and neighbourhood change;
- the complexity of multiple influences: outcomes are rarely a result solely of development plan policies; and
- choice of suitable timescales: many aspects of planning may not be capable of assessment in the short term.

The PARSOL (Planning and Regulatory Services Online) e-government project is developing a range of initiatives which may help in developing monitoring systems. Some measures - such as proposals implemented - need to be matched with other data sources including building control data to measure start of work on site, and construction data to measure completions.

Where possible, planning monitoring data systems should be developed in an integrated manner using common definitions, assumptions, geographical bases etc and should be capable of being linked electronically.

## 9.4 Annual Monitoring Report

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AMRs serve a useful purpose in improving the transparency of the planning process, and keep councillors, the community and business groups informed of development plan issues facing the area. Each authority is required to prepare an Annual Monitoring Report covering the preceding financial year. It must be submitted to the Assembly Government by 31 October each year and published on the authority's web site, in accordance with LDP Regulation 37. The first AMR should be submitted by the 31 October in the year following adoption of its first LDP, unless less than 12 months would have passed since adoption, in which case it should be submitted by 31 October of the subsequent year.

The AMR should assess the extent to which LDP strategies and policies are being achieved. Issues that should be included in the AMR are listed in LDP Wales, para 4.43. Delivery Agreement progress will also be subject to AMR for each successive LDP.

The first report should establish data on the range of indicators on which it is proposed to monitor policies. These should include indicators identified nationally (section 9.5). Monitoring should indicate current data values, and where possible, historic trends.

The AMR is the main mechanism for reviewing the relevance and success of the LDP and identifying any changes necessary. In order to fulfil this function, reports should be highly focused rather than producing a statistical compendium.

Aspects that are usefully included in an AMR are:

- key findings, in the form of a 1-2 page Executive Summary;
- significant contextual change, i.e. a review of wider strategic issues affecting the local area and the context within which the LDP operates, including the fortunes of any significant local industries, emerging national planning guidance, a significant planning application in the area or adjoining areas, any major regeneration needs or site opportunities (e.g. a large brownfield site becoming disused);
- sustainability monitoring using the SA (see section 9.5.4);
- strategy monitoring, to assess whether the plan is achieving its main objectives, and whether it is "on track" in terms of the level of implementation, e.g. the level of new housing development, take-up of major sites;
- policy monitoring, to highlight any policies which are not functioning effectively, and to highlight any issues which should be addressed through national policy or inter-authority joint working group;
- recommendations, e.g. identify any improvements/changes to key parts of the plan which would need to be tackled through a future review; identify the need for SPG or other additional policy guidance; indicate the need for further work on targets and indicators or data collection, or development control practice (as a secondary consideration).

It is not realistic for all policies to be monitored - this would lead to an unnecessarily large and complicated document. Some key areas will need to be included consistently each year, whereas other policy areas could be included less frequently.

The broad structure of the report should remain the same from year to year in order to provide ease of analysis between successive reports. Good use of illustrative material such as charts, graphs and maps will make the AMR more accessible.

It is important that the AMR has an analytical dimension. There is also merit in incorporating qualitative information, for instance the views of key business leaders on the area's economic performance, the views of community leaders on their areas, and the plan makers' assessment of trends, conditions and drivers for change.

It is important to consider why information is needed, and to structure the analysis accordingly. The following questions may be relevant:

- What new issues have occurred in the area or in local/national policy (key recent changes, future prospects)?
- What are the underlying causal factors of these new issues (for instance new structural social, economic and demographic forces that will impinge on the area)?
- How relevant, appropriate and up-to-date is the LDP strategy and its policies and targets?
- What sites have been developed in relation to the plan's expectations on location and timing?
- What has been the effectiveness of policies (and associated SPG), in dealing with applications, and where appropriate leading to applications for better schemes, and in discouraging inappropriate applications?
- What has been the effectiveness of policies (and associated SPG), in dealing with appeals?

## 9.5 Developing Monitoring Targets and Indicators

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### 9.5.1 Overview

LDP Regulation 37 prescribes two indicators that must be included in the AMR:

- the **housing land supply**, taken from the current Housing Land Availability Study. This is measured in years' supply but values should be given (in hectares) at the beginning and end of the AMR period; and
- the number of **net additional affordable and general market dwellings** built in the LPA's area. This should indicate the level of new housing construction, minus any demolitions, during the AMR period and since the LDP was first adopted.

Further information on these can be found in TANS 1 and 2.

Additional core indicators are outlined in section 9.5.3. LPAs should also define significant local indicators for their LDP.

Indicators are of most use when they are associated with a corresponding target, even if this is only expressed as a preferred direction of change.

### 9.5.2 Targets

Authorities should adopt the “SMART” approach to defining targets and indicators, wherever practicable. This means that they are **S**pecific, **M**easurable, **A**chievable, **R**ealistic and **T**ime-bound.

Two types of targets are required:

- policy targets linked to output indicators which will provide a benchmark for measuring policy implementation (for example, housing provision figures included in the overall strategy or in a housing policy would provide the target against which progress would be measured); and
- sustainability appraisal targets linked to the SA objectives - these provide a benchmark for measuring the significant effects of implementing policies and will have been developed as part of the SA process.

Many of these targets will have been defined at an earlier stage in LDP preparation, with stakeholder involvement. Some may be common targets already included in the Community Strategy, or relevant national strategies. A **process target**, for LDP preparation to comply with the milestones in the Delivery Agreement, is already a performance indicator for LPAs.

### 9.5.3 Indicators

Authorities should focus on **output indicators**, which are used to assess the performance of the LDP. These are intended to measure quantifiable physical activities that are directly related to the implementation of planning policies. SEA indicators should monitor the impact of policies on environmental resources. In measuring against policy targets and sustainability appraisal targets, it must be remembered that there will be other factors that influence performance as well as LDP policy.

The Assembly Government considers that a number of **core output indicators** are essential for assessing implementation of national policy. Information collected on some indicators, such as renewable energy, is usefully aggregated to get a national total.

In addition to the two indicators prescribed in LDP Regulation 37, AMR core indicators are given below. The Assembly will provide detailed information on each indicator in due course.

### 9.5.4 Core Indicators for LDP monitoring

#### Indicators Prescribed in Regulation 37

- the housing land supply taken from the current Housing Land Availability Study (TAN 1);
- the number of net additional affordable and general market dwellings built in the LPA's area (TAN 2).

#### Other Output Indicators for LDPs

- net employment land supply/development (ha/sq m.);
- amount of development, including housing, permitted on allocated sites in the development plan as a % of development plan allocations and as % of total development permitted (ha and units);
- average density of housing development permitted on allocated development plan sites;
- amount of new development (ha) permitted on previously developed land (brownfield redevelopment and conversions) expressed as a percentage of all development permitted;
- amount of major retail, office and leisure development (sq m) permitted in town centres expressed as a percentage of all major development permitted (TAN 4);
- amount of development (by TAN 15 paragraph 5.1 development category) permitted in C1 and C2 floodplain areas not meeting all TAN 15 tests (paragraph 6.2 i-v);
- amount of greenfield and open space lost to development (ha) which is not allocated in the development plan;
- amount of waste management capacity permitted expressed as a percentage of the total capacity required, as identified within the Regional Waste Plan (TAN 21);
- the extent of primary land-won aggregates permitted in accordance with the Regional Technical Statement for Aggregates expressed as a percentage of the total capacity required as identified in the Regional Technical Statement (MTAN);
- the capacity of Renewable Energy developments (MW) installed inside Strategic Search Areas by type (TAN 8).

Authorities may also find it useful to include some **contextual indicators** in their monitoring. These describe the background against which LDP policy operates. Key areas include demographic structure; migration; social and cultural issues; economy; environment; housing; built environment; and transport and connectivity.

### 9.5.5 SA linkages

Finalising aims and methods of monitoring and responding to adverse effects (ODPM SA Guide, Tasks E1 and E2).

The SA monitoring framework will already have been considered at an early stage and included in the SA Report (sections 6.4.3 and Figure 6C above), and if necessary reviewed in the light of any responses to consultation. This stage therefore relates to the finalisation of the monitoring system.

The SEA Directive specifically requires monitoring to identify unforeseen adverse effects and to enable appropriate remedial action to be taken.

LDP monitoring as described above is particularly concerned with assessing the performance of policies in achieving plan objectives (see Figure 5.2 above). As many of these plan objectives relate to sustainable development, there is a strong overlap with SA monitoring.

There are some additional reasons for undertaking SA monitoring, namely:

- to identify whether the SA's predictions of sustainability effects were accurate;
- to identify whether the plan is contributing to the achievement of SA objectives and targets;
- to identify whether mitigation measures are performing as well as expected;
- to identify whether any adverse effects are within acceptable limits or whether remedial action is desirable; and
- to fill gaps in existing SA baseline information where relevant and manageable.

The following is a six step guide to setting up a SA monitoring system:

1. **What needs to be monitored?** This relates to the purposes above. Both beneficial and adverse effects should be monitored. Monitoring should be focused where there are likely to be significant sustainability effects e.g. that may give rise to irreversible damage.
2. **What sort of information is required?** This includes updating information for the SA indicators already used (see section 4.5.5 above) and comparing this against the baseline position and predicted effects documented in the SA Report. Changes in the direction of indicators can also be measured against other comparable locations (known as benchmarking) or national measures. This will show how the issues identified in plan preparation are changing and whether new issues are emerging.
3. **What are the existing sources of monitoring information?** This includes data collected for plan monitoring which may be applied differently for SA purposes. Information may also be available from partner organisations.
4. **Are there any gaps in the existing information, and how can these be filled?** This includes entering into agreements with other authorities or agencies to standardise monitoring methods and share information.

5. **What should be done if adverse effects are found?** This includes identifying potential remedial action e.g. reviewing aspects of the plan that are causing the effects, or developing mitigation measures.
6. **Who is responsible for the various monitoring activities, when should this be carried out, and what is the appropriate format for presenting the monitoring results?** Documenting the monitoring process is useful in tabular form, including:
  - monitoring activities to be undertaken;
  - responsibility for undertaking the monitoring;
  - when the monitoring needs to be carried out (dates and frequency);
  - how results should be presented and in what format; and
  - status of monitoring and any problems encountered;
  - the findings of SA monitoring need to be included in the Annual Monitoring Report (see section 9.4 above).

## 9.6 Review

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The results of the monitoring processes will feed into the ongoing review and adjustment of the LDP and SPG.

A major review of the LDP must be undertaken 4 years following first and subsequent adoption dates (this should ideally be integrated with a review of the Community Strategy). The review should include reconsideration of the sustainability appraisal (including the SEA), and the soundness of the plan.

Several factors could trigger the need for a review before 4 years, including:

- a significant change in external conditions;
- a significant change in national policy or legislation;
- a significant change in local context e.g. closure of a significant employment site that undermines the local economy;
- a significant change in development pressures or needs and investment strategies of major public and private investors; and
- significant concerns from the findings of the AMR in terms of policy effectiveness, progress rates, and any problems with implementation.

A review could take two forms:

- **replacement** of the LDP, i.e. a complete new plan where the existing plan is found to be substantially out of date and the scale of necessary alterations is fundamental; or

- **alterations** in the form of a partial rolling forward of the LDP, where some forecasts and assumptions have changed, where some policy needs to be changed or where some additional policies needs to be added to deal with areas of significant change or conservation or with some unforeseen events. Prior discussion is advised with the Assembly Government's Planning Division.

Procedures for consultations and handling representations on LDP alterations are set out in LDP Wales, paras 4.46-50.

## 9.7 Summary of Monitoring and Review Tasks

LDP Stage	SA	SEA
Annual Monitoring Report.	Include results of monitoring in AMR.	Monitoring of significant effects and mitigation measures.
LDP review at least every 4 years.	Consider need for remedial action. Review scoping and framework.	

**ANNEX A****Quality Assurance Checklist**

Recommended for conducting a Sustainability Appraisal as an integral part of LDP preparation.

<b>EVIDENCE GATHERING AND OBJECTIVES</b>
<p><b>Objectives and content</b></p> <ul style="list-style-type: none"> <li>• The plan's purpose and objectives are made clear.</li> <li>• Sustainability issues, including international and EC objectives, are considered in developing objectives and targets.</li> <li>• SA objectives are clearly set out and linked to indicators and targets where appropriate.</li> <li>• Links with other related plans, programmes and policies are identified and explained.</li> <li>• Conflicts that exist between SA objectives, between SA and plan objectives, and between SA and other plan objectives are identified and described.</li> </ul>
<p><b>Baseline information</b></p> <ul style="list-style-type: none"> <li>• Relevant aspects of the current state of the environment and their likely evolution without the plan are described.</li> <li>• Characteristics of areas likely to be significantly affected are described, including areas wider than the physical boundary of the plan area where it is likely to be affected by the plan where practicable.</li> <li>• Difficulties such as deficiencies in information or methods are explained.</li> </ul>
<p><b>Scoping</b></p> <ul style="list-style-type: none"> <li>• The environmental consultation bodies are consulted in appropriate ways and at appropriate times on the content and scope of the SA Report.</li> <li>• The appraisal focuses on significant issues.</li> <li>• Technical, procedural and other difficulties encountered are discussed; assumptions and uncertainties are made explicit.</li> <li>• Reasons are given for eliminating issues from further consideration.</li> </ul>

## STRATEGIC OPTIONS AND PREFERRED STRATEGY

### Options/Alternatives

- Realistic alternatives are considered for key issues, and the reasons for choosing them are documented.
- Alternatives include 'do nothing' and/or 'business as usual' scenarios wherever relevant.
- The sustainability effects (both adverse and beneficial) of each alternative are identified and compared.
- Inconsistencies between the alternatives and other relevant plans, programmes or policies are identified and explained.
- Reasons are given for selection or elimination of alternatives.

### Prediction and evaluation of likely significant effects

- Likely significant social, environmental and economic effects are identified, including those listed in the SEA directive (biodiversity, population, human health, fauna, flora, soil, water, air, climate factors, material assets, cultural heritage and landscape), as relevant.
- Both positive and negative effects are considered, and where practicable, the duration of effects (short, medium or long-term) is addressed.
- Likely secondary, cumulative and synergistic effects are identified where practicable.
- Inter-relationships between effects are considered where practicable.
- Where relevant, the predication and evaluation of effects makes use of accepted standards, regulations, and thresholds.
- Methods used to evaluate the effects are described.

### Mitigation measures

- Measures envisaged to prevent, reduce and offset any significant adverse effects of implementing the plan are indicated.
- Issues to be taken into account in development consents are identified.

### **The Sustainability Appraisal Report**

- Is clear and concise in its layout and presentation.
- Uses simple, clear language and avoids or explains technical terms.
- Uses maps and other illustrations where appropriate.
- Explains the methodology used.
- Explains how the LDP options were evaluated.
- Identifies sources of information, including expert judgement and matters of opinion.
- Contains a non-technical summary.

### **Consultation on the Sustainability Appraisal Report**

- The SA Report and the opinions of those consulted are taken into account in preparing the deposit LDP.

## **PREPARATION OF DEPOSIT**

### **The updated Sustainability Appraisal Report**

- As above for the SA Report.
- Explains who was consulted and what methods of consultation were used.
- Gives an explanation of how representations have been taken into account.
- Includes the results of assessing any revised or new option resulting from public consultation.
- Explains the reasons for the strategy included in the deposit LDP.

### **Consultation on the updated Sustainability Appraisal Report**

- Reasons are given for choices in the deposit plan, in the light of other reasonable options considered.

## **SUBMISSION, EXAMINATION AND ADOPTION**

### **Decision-making and information on the decision**

- An explanation of how the findings of the SA process have been taken into account is given in the adoption statement.
- Any changes made to the LDP as a result of the SA process and responses to consultation are made clear in the adoption statement.
- The implications of any significant changes recommended in a Inspector's report are identified in the finalised SA Report and adoption statement.

## **MONITORING AND REVIEW**

### **Monitoring measures**

- Measures proposed for monitoring are clear, practicable and linked to the indicators and objectives used in the SA.
- Monitoring is used, where appropriate, during implementation of the plan to make good deficiencies in baseline information in the SA.
- Monitoring enables unforeseen adverse effects to be identified at an early stage. (These effects may include predictions which prove to be incorrect.)
- Proposals are made for action in response to significant adverse effects.

*Source: ODPM SA Guide, Appendix 4, Figure 14, November 2005, and A Practical Guide to the Strategic Environmental Assessment Directive, Figure 25, Joint Administrations, September 2005 - adapted and reordered for the LDP system.*

## ANNEX B

### Delivery Agreement Assessment Criteria

#### Timetable

- Is it easy for the public to understand?
- Are the main LDP process components covered?
- Have the impacts of LA processes for approval (e.g. Cabinet cycles) been incorporated?
- How will the Planning Committee be involved?
- Is there sufficient time for involving the community at the right stages?
- Have the SA tasks being identified and included?
- Have the resources needed for each stage/task been estimated?
- Have the impact and resource sharing potential of other LA policy and strategy cycles been considered?
- Is the Planning Inspectorate aware/content?
- Is the timetable realistic and deliverable with key milestones set to meet the 4-year target?
- If not, what are the extenuating circumstances (e.g. local elections)?

#### Community Involvement Scheme

- Is the CIS easy for the public, voluntary organisations and businesses to relate to?
- Does it set out clearly the authority's approach and standards for involvement and how these link to other relevant local consultation approaches?
- Does this approach meet the Assembly Government's principles?
- Are the statutory consultation periods and consultee organisations included?
- What has been the involvement of those affected in drawing up the CIS?
- Does the CIS include relevant stakeholder groups, given the nature of the authority's area?
- Is it clear about the type of involvement proposed for each relevant stage and task, and do these techniques/processes appear appropriate to the task/stage?

- Does the authority demonstrate the ability to resource and manage the processes?
- Are there clear roles for Members, Executive and officers?
- Is there a means of establishing a representative cross-section of views?
- Is it clear what is expected from participants at each stage?
- Does it show how the output from community involvement in each stage/task will be communicated to participants and interested parties (feedback mechanisms)?
- Is it clear how the output will be transparently recorded as influencing the plan and SA ?
- Does it indicate how the authority will monitor (and change) the CIS?

## ANNEX C

### Sources of SA Information

The following list of resources may help local planning authorities' prepare LDP sustainability appraisals and describe the baseline environment as part of the SEA process. The list is by no means exhaustive but provides a useful starting point for data assembly. The addresses given are correct as of February 2006. Reference should also be made to other relevant local information.

#### Data Sources - General

- Quality of Life Counts: [www.sustainable-development.gov.uk/sustainable/quality99](http://www.sustainable-development.gov.uk/sustainable/quality99)
- Office of National Statistics [www.statistics.gov.uk](http://www.statistics.gov.uk)
- [www.wales.gov.uk/keypubstatisticsforwales/](http://www.wales.gov.uk/keypubstatisticsforwales/)
- [http://www.statswales.wales.gov.uk/intro\\_eng/index.htm](http://www.statswales.wales.gov.uk/intro_eng/index.htm) (range of data on economic and labour market, social inclusion/equality and environment)
- Wales Spatial Plan [www.wales.gov.uk/themesspatialplan/content/spatial-plan-e.htm](http://www.wales.gov.uk/themesspatialplan/content/spatial-plan-e.htm)
- State of the Welsh Environment 2003 - Summary Report: [www.wales.gov.uk/subienvironment/content/reports/environment2003/summary-pt1-e.pdf](http://www.wales.gov.uk/subienvironment/content/reports/environment2003/summary-pt1-e.pdf)
- Health & Safety Executive planning pages [www.hse.gov.uk/landuseplanning/](http://www.hse.gov.uk/landuseplanning/)
- The All Wales Transport Forum <http://www.awtforum.org.uk/pages/ref.htm> (provides a list of related sources)
- Sustrans <http://www.sustrans.org.uk/default.asp?sID=1090412763593> (sustainable transport information)
- Food Standards Agency Wales <http://www.food.gov.uk/wales/>
- The UK Environmental Change Network <http://www.ecn.ac.uk/>
- Agricultural Land Classification information leaflet: <http://www.defra.gov.uk/rds/publications/technical/alc.pdf>

#### Social

- Welsh Index of Multiple Deprivation 2005 <http://www.wales.gov.uk/keypubstatisticsforwales/wimd/wimd2005-results.htm>
- Welsh House Condition Survey [www.statistics.gov.uk/STATBASE/Product.asp?vlnk=1241](http://www.statistics.gov.uk/STATBASE/Product.asp?vlnk=1241)

- Living in Wales Survey: <http://www.wales.gov.uk/keypubstatisticsforwales/liw/liw.htm>
- Local Health Boards
- Disability Wales (Disability Commission Wales) [www.drc-gb.org/wales/index.asp](http://www.drc-gb.org/wales/index.asp)
- Social Exclusion in Wales [http://www.wales.gov.uk/keypubstatisticsforwales/content/publication/social/2000/mappingsocialexclusion/hdw20000301b\\_e.htm](http://www.wales.gov.uk/keypubstatisticsforwales/content/publication/social/2000/mappingsocialexclusion/hdw20000301b_e.htm)
- Crime in England & Wales <http://www.crimereduction.gov.uk/statistics40.htm> (crime statistics and regional information relation to England & Wales).
- The Welsh Health Survey - <http://www.wales.gov.uk/keypubstatisticsforwales/datacollection/health/health-survey/health-survey.htm>

### **Economic**

- 'Wales a Vibrant Economy' - [www.wales.gov.uk/subitradeindustry/content/wave/wave-e.htm](http://www.wales.gov.uk/subitradeindustry/content/wave/wave-e.htm)
- Residential Property Price Report [www.landreg.gov.uk](http://www.landreg.gov.uk)
- Nomis [www.nomisweb.co.uk](http://www.nomisweb.co.uk) - labour market statistics for local and national areas, covering England and Wales.
- The Confederation of British Industry [www.cbi.org.uk/](http://www.cbi.org.uk/)

### **Environmental**

- Environment Agency [www.environment-agency.gov.uk/regions/wales](http://www.environment-agency.gov.uk/regions/wales) (information on Environment Strategy for Wales, air, climate changes - [www.environment-agency.gov.uk/yourenv/639312/641094/642206/?version=1&lang=\\_e](http://www.environment-agency.gov.uk/yourenv/639312/641094/642206/?version=1&lang=_e) , water, waste, soils etc).
- British Geological Survey [www.bgs.ac.uk](http://www.bgs.ac.uk) (minerals, aquifers, contaminated land useful map based information available online)
- Defra [www.defra.gov.uk/environment/statistics](http://www.defra.gov.uk/environment/statistics) (contains some information on farming and landuse in Wales in addition to general information on air quality, water quality, waste and wildlife.)
- National Farmers Union [www.nfu-cymru.org.uk](http://www.nfu-cymru.org.uk)
- Farmers Union of Wales - [www.fuw.org.uk/](http://www.fuw.org.uk/)
- Country landowners Association [www.cla.org.uk/](http://www.cla.org.uk/)
- Local Countryside Strategies
- [www.metoffice.gov.uk/](http://www.metoffice.gov.uk/) - weather patterns
- Countryside Survey 2000 <http://www.cs2000.org.uk/>

- The National Trust - [http://www.nationaltrust.org.uk/main/w-chl/w-countryside\\_environment/w-environmental\\_practices/w-environmental\\_science-issues/w-environmental\\_science-issues-climate\\_change.htm](http://www.nationaltrust.org.uk/main/w-chl/w-countryside_environment/w-environmental_practices/w-environmental_science-issues/w-environmental_science-issues-climate_change.htm)
- <http://www.ofgem.gov.uk/ofgem> (regulator for Britain's gas and electricity industries - broad information on Wales)
- <http://www.scotland.gov.uk/Resource/Doc/77843/0018367.pdf>.
- <http://www.ccw.gov.uk>

### **Biodiversity, Flora and Fauna**

- National Biodiversity Network [www.nbn.org.uk](http://www.nbn.org.uk); [www.searchnbn.net](http://www.searchnbn.net) (Provides UK wildlife data and information on species)
- Biodiversity Action Plans [www.ukbap.org.uk](http://www.ukbap.org.uk)
- Local Wildlife Trusts and Biodiversity Record Centres
- Countryside Council for Wales [www.ccw.gov.uk](http://www.ccw.gov.uk)
- British Trust for Ornithology [www.bto.org](http://www.bto.org)
- Royal Society for the Protection of Birds [www.rspb.org](http://www.rspb.org)
- Forestry Commission [www.forestry.gov.uk/wales](http://www.forestry.gov.uk/wales)
- Joint Nature Conservation Committee [www.jncc.gov.uk/](http://www.jncc.gov.uk/) (contains nature conservation information)

### **Population and Human Health**

- Health and Safety Executive [www.hse.gov.uk/statistics/regions/wales.pdf](http://www.hse.gov.uk/statistics/regions/wales.pdf) Welsh job related statistics
- <http://www.cmo.wales.gov.uk/content/work/health-impact/index-e.htm>. Welsh Health Impact related data and information
- Department for Transport [www.dft.gov.uk](http://www.dft.gov.uk) ('Transport Statistics' - traffic levels and accidents)
- National Health Service Wales [www.wales.nhs.uk/](http://www.wales.nhs.uk/)

### **Water and Soil**

- Environment Agency [www.environment-agency.gov.uk/](http://www.environment-agency.gov.uk/) (water quality, floodplains, waste management etc.)
- Centre for Ecology and Hydrology [www.ceh.ac.uk](http://www.ceh.ac.uk) [www.critloads.ceh.ac.uk/](http://www.critloads.ceh.ac.uk/) (water, soil, climate change)
- British Waterways [www.britishwaterways.co.uk/](http://www.britishwaterways.co.uk/)

- Soil Resources Institute [www.silsoe.cranfield.ac.uk/nsri](http://www.silsoe.cranfield.ac.uk/nsri)
- <http://www.ccw.gov.uk>

## **Air**

- Department for Transport [www.transtat.dft.gov.uk](http://www.transtat.dft.gov.uk) (traffic statistics etc)
- Defra [www.airquality.co.uk](http://www.airquality.co.uk)
- Chemical Industries Association - [www.cia.org.uk/newsite/](http://www.cia.org.uk/newsite/)
- National Atmospheric Emissions Inventory (NAEI) [www.naei.org.uk/](http://www.naei.org.uk/)  
(The NAEI compiles estimates of emissions to the atmosphere from UK sources)
- Air Quality in Wales [www.welshairquality.co.uk/index.php](http://www.welshairquality.co.uk/index.php)

## **Climatic Factors**

- UK Climate Impacts Programme [www.ukcip.org.uk/](http://www.ukcip.org.uk/) click through to choose regions and Wales (CO2 emissions; climate change impacts)
- Renewable Energy Statistics Database [www.restats.org.uk](http://www.restats.org.uk) (renewable energy)
- Institute of Environmental Science [www.bangor.ac.uk/ies/Research/JF\\_climate\\_change\\_impacts\\_Wales.htm](http://www.bangor.ac.uk/ies/Research/JF_climate_change_impacts_Wales.htm) (impacts of climate change on Wales)
- The Carbon Trust [http://www.carbontrust.org.uk/carbontrust/about/about5\\_3.html](http://www.carbontrust.org.uk/carbontrust/about/about5_3.html)

## **MATERIAL ASSETS**

### **Cultural Heritage and Landscape**

- The National Monuments Record of Wales and the Extended National Database [www.rcahmw.org.uk/nmrw.shtml](http://www.rcahmw.org.uk/nmrw.shtml)
- LANDMAP landscape database <http://landmap.ccw.gov.uk/>
- Cadw - [www.cadw.wales.gov.uk](http://www.cadw.wales.gov.uk)
- Archaeological Trusts
- Welsh Archaeological Trust's Sites and Monuments Record
- Wales Language Board [www.bwrdd-yr-iaith.org.uk/en/](http://www.bwrdd-yr-iaith.org.uk/en/)
- Wales Tourist Board [www.visitwales.com/](http://www.visitwales.com/)
- <http://www.ccw.gov.uk/>

## ANNEX D

### Model Notices

#### Introduction

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LPAs should satisfy themselves that they comply with all requirements in the LDP and SEA Regulations etc for notification, advertisement or publicity. There is no set statutory format for notices, and the following model notices are not prescribed/ they are examples of the scope of provisions that need to be considered at each stage.

Variations should be considered to improve accessibility in terms of simpler explanation and the use of plain language. Helpline contact details could be included where an explanation of the process or alternative format documents can be obtained, and assistance is available to those unable to make representations in writing.

The following model notices are set out in this Annex:

- **Notice 1:** Planning and Compulsory Purchase Act 2004. The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004. The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (Regulation 15). **Notice of Pre-deposit Public Consultation for a Local Development Plan.**
- **Notice 2:** Planning and Compulsory Purchase Act 2004. The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004. *The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (Regulation 17).* **Notice of Deposit of Proposals for a Local Development Plan.**
- **Notice 3:** Planning and Compulsory Purchase Act 2004. Environmental Assessment of Plans and Programmes (Wales) Regulations 2004. *The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (Regulation 20).* **Notice of Site Allocation Representations on a Local Development Plan.**
- **Notice 4:** Planning and Compulsory Purchase Act 2004. The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (Regulation 22). **Notice of Submission of a Local Development Plan to the Welsh Assembly Government.**
- **Notice 5:** Planning and Compulsory Purchase Act 2004. The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (Regulation 23). **Notice of Independent Examination for a Local Development Plan.**
- **Notice 6:** Planning and Compulsory Purchase Act 2004. The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 Regulation 16. The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (Regulation 25). **Notice of Adoption of a Local Development Plan.**

## NOTICE 1:

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Planning and Compulsory Purchase Act 2004  
The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004  
The Town and Country Planning (Local Development Plan) (Wales)  
Regulations 2005 (Regulation 15)

### **Notice of Pre-deposit Public Consultation for a Local Development Plan**

(Title of plan)

(1) has prepared pre-deposit proposals documents for the above plan. The local development plan (LDP) will, upon adoption, replace the current development plan and be the basis for decisions on land use planning for (2).

The pre-deposit proposals documents outline the Authority's vision, strategic options, preferred strategy and key policies, and include key background information and an initial sustainability appraisal report (which includes the environmental report).

Copies of the documents are available for public inspection free of charge at (3) on (4). They are also available on the Council's website at (5).

Representations (*including objections*) in respect of the proposals, should be sent in writing to (6) or made on-line to (7) before (8). Representations (*including objections*) should specify the matters to which they relate.

*A form for making representations is available from the above address or on-line at (9).*

*The Authority's feedback mechanism.*

*The next stage of plan preparation will be the 'deposit' stage when the deposit LDP will be advertised for representations. Following formal submission of the deposit LDP to the Welsh Assembly Government it must be considered by an independent Inspector who will assess whether it is 'sound'. There are a number of tests of soundness and these can be found on the form for making representations or at (10). Representations which take the form of objections should make reference to these tests wherever possible.*

Representations may be accompanied by a request to be notified at a specified address [*of the next stage of the LDP and/or*] that the LDP has been submitted to the Welsh Assembly Government for independent examination and/or of the adoption of the plan.

The Authority is only required to consider representations made in accordance with this notice. Representations made at the current pre-deposit stage will not be considered by the Inspector appointed to carry out the Independent Examination. There will be a further opportunity for representations to be made at the deposit stage and these representations will be considered at the examination.

*Further information is available from (11).*

## Notes

Notice to be given by local advertisement and on website.

- (a) Omit any expression within square brackets [ ] which is inappropriate.
- (b) Sections in italic fonts are discretionary and those in standard fonts cover statutory requirements.
- (c) Insert the following:
  - (1) the name of the local planning authority;
  - (2) the area covered by the plan;
  - (3) the name and address of the local planning authority's principal office, and any other place at which the documents are available for inspection;
  - (4) the days on which, and the hours between which, the documents are available for inspection;
  - (5) the website at which electronic copies of the documents are available;
  - (6) the name and address of the officer to whom representations should be sent;
  - (7) the address/website to which they are to be sent;
  - (8) the date (six weeks from the date on which local planning authority complies with LDP Wales 2005 Regulation 15(a), (c) and (d)) by which representations should be received;
  - (9) the website at which the form is available;
  - (10) reference to appropriate source, relevant address and website;
  - (11) any places/websites where further information can be obtained.

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## NOTICE 2:

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Planning and Compulsory Purchase Act 2004  
The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004  
*The Town and Country Planning (Local Development Plan) (Wales)  
Regulations 2005 (Regulation 17)*

### **Notice of Deposit of Proposals for a Local Development Plan**

(Title of plan)

(1) has prepared Local Development Plan (LDP) documents for the above plan. The LDP will, upon adoption, replace the current development plan and form the basis for decisions on land use planning for (2).

The LDP documents include the 'deposit LDP', the Sustainability Appraisal Report (which incorporates the Environmental Report), an initial Consultation Report together with other supporting documents.

Copies of the documents are available for public inspection free of charge at (3) on (4). They are also available on the Council's website at (5).

Representations (including objections) in respect of the deposit LDP, should be sent in writing to (6) or made on-line to (7) before (8). Representations (including those taking the form of objections) should specify the matters to which they relate. Objections should also specify the change sought, the grounds on which they are made and the test(s) of soundness to which they relate (see below).

*A form for making representations is available from the above address or on-line at (9).*

*The Authority's feedback mechanism.*

*The deposit LDP will be considered by an independent Inspector who will assess whether it is 'sound'. There are a number of tests of soundness and these can be found on the form for making representations or at (10). Objections to the deposit LDP should make reference to these tests wherever possible.*

Any representation proposing a new or extended site for development or one that proposes to incorporate a site rejected by the Authority should include information on the site's compatibility with the plan's sustainability appraisal and community involvement.

Representations may also be accompanied by a request to be notified at a specified address [of the next stage of the LDP and/or] that the LDP has been submitted to the Welsh Assembly Government for independent examination and/or of the adoption of the plan.

*The Local Planning Authority cannot change the plan at this stage but it can decide whether it is in favour of any changes proposed.*

Representations made in accordance with this notice (i.e. 'duly made') will be considered by an independent Inspector appointed to examine the soundness of the plan.

Only those making representations seeking to change the deposit LDP (*i.e objectors*) whose representations were 'duly made' have the right to appear before and be heard by the Inspector at the Examination. (Section 64 (6) of the 2004 Act.)

*Further information is available from (11).*

## Notes

Notice to be given by local advertisement and on website.

- (a) Omit any expression within square brackets [ ] which is inappropriate.
- (b) Sections in italic fonts are discretionary and those in standard fonts cover statutory requirements.
- (c) Insert the following:
  - (1) the name of the local planning authority;
  - (2) the area covered by the plan;
  - (3) the name and address of the local planning authority's principal office, the authority's website, and/or any other place at which the documents are available for inspection;
  - (4) the days on which, and the hours between which, the documents are available for inspection;
  - (5) the website at which electronic copies of the documents are available;
  - (6) the name or address of the officer to whom representations should be sent;
  - (7) the address/website to which they are to be sent;
  - (8) the date (six weeks from the date on which the local planning authority complies with LDP Wales 2005 Regulation 17(a), (c) and (d)) by which representations should be received;
  - (9) the website at which the form is available;
  - (10) reference to appropriate source, relevant address and website;
  - (11) any places/websites where further information can be obtained.

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## NOTICE 3:

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Planning and Compulsory Purchase Act 2004  
Environmental Assessment of Plans and Programmes (Wales) Regulations 2004  
*The Town and Country Planning (Local Development Plan) (Wales)  
Regulations 2005 (Regulation 20)*

### **Notice of Site Allocation Representations on a Local Development Plan**

(Title of plan)

(1) prepared a Local Development Plan (LDP) for the above area which was placed on deposit for consultation until (2). The LDP will, upon adoption, replace the current development plan and be the basis for decisions on land use planning for (3).

Responses to the deposit consultation included [a number] relating to site allocations shown in the LDP. These representations suggested new sites or the alteration or omission of proposed sites in the deposit LDP.

A Schedule of site allocation representations, together with further details are available for public inspection at (4) on (5). They are also available on the Council's website at (6). [*They affect the following locations:*]

*The schedule of representations does not reflect the position of the Local Planning Authority itself. It has yet to decide whether it is in favour of any of these suggested changes. Whether the deposit LDP is changed now is a matter for an independent Inspector.* Representations (including those in the form of objections) in respect of the site allocation representations should be sent in writing to (7) or made on-line to (8) before (9).

Representations (*including objections*) at this stage must relate only to the site allocation representations. They should not propose further changes to the original deposit LDP or new sites. Any such representations will be disregarded as they should have been made during the earlier stages of plan preparation. Representations (*including objections*) should specify the matters to which they relate. *Objections should specify the change sought, the grounds on which they are made and the test(s) of soundness to which they relate (see below).*

*A form for making representations is available from the above address or on-line at (10).*

*The Authority's feedback mechanism.*

*The deposit LDP, and all duly made representations will be considered by an independent Inspector who will assess whether the plan is 'sound'. There are a number of tests of soundness and these can be found on the form for making representations or at (11). Objections to a site allocation representation should make reference to these tests wherever possible.*

Representations made in accordance with this notice (i.e. 'duly made') will be considered by an independent Inspector appointed to examine the soundness of the plan.

Only those who made 'duly made' representations at the deposit stage have a right to appear before and be heard by the Inspector carrying out the Examination (section 64(6) of 2004 Act).

Further information is available from (10).

## Notes

Notice to be given by local advertisement and on website.

- (a) Omit or amend any expression within square brackets [ ] which is inappropriate.
- (b) Sections in italic fonts are discretionary and those in standard fonts cover statutory requirements.
- (c) Insert the following:
  - (1) the name of the local planning authority;
  - (2) the date in which deposit stage ends;
  - (3) the area covered by the plan;
  - (4) the address of the local planning authority's principal office, the authority's website, and any other place at which the documents are available for inspection; NB to be the same as for the pre-deposit proposals documents;
  - (5) the days on which, and the hours between which, the documents are available for inspection;
  - (6) the website at which electronic copies of the documents are available;
  - (7) the name or address of the officer to whom representations should be sent;
  - (8) the address/website to which they are to be sent;
  - (9) the date (six weeks from the date on which local planning authority complies with LDP Wales 2005 Regulation 20(2)(a), (c) and (d)) by which representations should be received;
  - (10) any places where further information can be obtained.

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## NOTICE 4:

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Planning and Compulsory Purchase Act 2004  
*The Town and Country Planning (Local Development Plan) (Wales)  
Regulations 2005 (Regulation 22)*

**Notice of Submission of a Local Development Plan to the  
Welsh Assembly Government**

(Title of plan)

(1) has submitted proposals for the above Local Development Plan (LDP) to the Welsh Assembly Government for examination. If, and when, these plan proposals are adopted they will form the development plan for (2) and will be the basis for decisions on land use planning affecting that area.

Copies of the LDP documents are available for public inspection free of charge at (3) on (4). They are also available on the Council's website at (5).

The documents comprise the deposit LDP, a Sustainability Appraisal Report (incorporating an Environmental Report), the Community Involvement Scheme, a Consultation Report, copies of representations and other supporting documents.

An independent Inspector will conduct the examination to determine whether the plan is sound. Only those making representations seeking to change the deposit LDP (*i.e. objectors*) whose representations were 'duly made' (*i.e. in accordance with earlier notices*), have the right to appear before and be heard by the Inspector at the Examination. (Section 64 (6) of the 2004 Act.)

Notice will be given at least 6 weeks before the opening of the examination. The format of the hearing will be a matter for the Inspector.

*Further information is available from (6).*

### Notes

Notice to be given by local advertisement and on website.

- (a) Sections in italic fonts are discretionary and those in standard fonts cover statutory requirements.
- (b) Insert the following:
  - (1) the name of the local planning authority;
  - (2) the area covered by the plan;
  - (3) the address of the local planning authority's principal office, and any other place at which the documents are available for inspection;

- (4) the days on which, and the hours between which, the documents are available for inspection;
- (5) the authority's website;
- (6) any places where further information can be obtained.

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## NOTICE 5:

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Planning and Compulsory Purchase Act 2004  
The Town and Country Planning (Local Development Plan) (Wales)  
Regulations 2005 (Regulation 23)

### Notice of Independent Examination for a Local Development Plan

(Title of plan)

(1) has been appointed as Inspector to carry out an independent Examination to assess whether the above plan is sound. The Examination will commence on the (2) at (3).

The format of the Examination will be a matter for the Inspector. Those making representations seeking to change the deposit LDP (*i.e objectors*) whose representations met the requirements specified in the notice at the deposit stage have a right to appear before and be heard by the Inspector at the Examination. (Section 64 (6) of the 2004 Act.)

*Further information is available from (4).*

### Notes

Notice to be given by local advertisement, on website and to any person who made a representation at deposit and/or site allocation representation stages.

(a) Insert the following:

- (1) the name of the person appointed to carry out the examination;
- (2) the date and time at which the examination is to be held;
- (3) the place at which the examination is to be held;
- (4) any places where further information can be obtained including the programme officers contact details.

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**NOTICE 6:**

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Planning and Compulsory Purchase Act 2004  
*The Environmental Assessment of Plans and Programmes (Wales)*  
*Regulations 2004 Regulation 16*  
 The Town and Country Planning (Local Development Plan) (Wales)  
 Regulations 2005 (Regulation 25)

**Notice of Adoption of a Local Development Plan**

(Title of plan)

On (1) (2) adopted a Local Development Plan (LDP) for (3) [with modifications required by the Welsh Assembly Government (WAG)]. [WAG has given notice that it {is satisfied that the necessary changes have been made to comply with its Direction to the authority to modify the proposals for the LDP} {has withdrawn its Direction}]. The adopted LDP will form the development plan for (3) and will be the basis for decisions on land use planning in this area.

Copies of the adopted LDP, *the recommendations of the person appointed to hold the independent examination*, the sustainability appraisal report (incorporating the environmental report), the consultation report and a statement indicating how the environmental report etc. has been taken into account [together with a statement that the Assembly Government's Direction notice to modify the LDP has been withdrawn {or} the Assembly Government's Notice that it is satisfied that that its Direction to modify the LDP has been complied with] are available for inspection free of charge at (4) on (5). They are also available on the Council's website at (6).

Copies of the LDP, including its proposal map, will be available for purchase from (7) after (8).

The LDP became operative on its adoption (i.e. (1)).

A person aggrieved by the LDP who desires to question its validity on the ground that it is not within the powers conferred by Part 6 of the Planning and Compulsory Purchase Act 2004 or that any requirement of that Act or any regulation made under it has not been complied with in relation to the adoption of the LDP, may, within six weeks from (9), make an application to the High Court under Section 113 of the 2004 Act.

*Further information is available from (10).*

**Notes**

Notice to be given by local advertisement and on website.

NB advert and individual notifications to those who requested same.

- (a) Omit any expression in square brackets [ ] and curly brackets { } which is inappropriate.

- (b) Sections in italic fonts are discretionary and those in standard fonts cover statutory requirements. There is no requirement to advertise the publication of the recommendations of the Independent Examination but there is a requirement to notify all those who asked to be notified.  
(Section 24 (2) (c) of LDP Regs))
- (c) Insert the following:
- (1) the date on which the proposals were adopted;
  - (2) the name of the local planning authority;
  - (3) the area covered by the plan;
  - (4) the address of the local planning authority's principal office, the authority's website, and any other place at which the documents are available for inspection;  
  
NB must include all locations specified at pre-deposit consultation stage  
(Section 15 of the LDP Reg);
  - (5) the days on which, and the hours between which, the documents are available for inspection;
  - (6) the website at which electronic copies of the documents are available;
  - (7) address at which plans can be obtained/purchased;
  - (8) date at which final printed versions of plans will be available;
  - (9) the date on which this notice is first published;
  - (10) any places/websites where further information can be obtained.

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