

WELSH GOVERNMENT

Examination Hearing Statement

Bridgend Local Development Plan

Hearing Session 1: Strategy

20th November 2012

Chapter 1 – Introduction and Background

Qn1a. Is it implicit that the Plan is to be read as a whole or should there be either a statement to that effect or further cross referencing in the interests of coherence?

Advice in Local Development Plan Wales 2005 is that ‘the development plan should comprise a strategy and integrated set of policies and site specific proposals’. The Plan should be considered as a whole and this is considered to be implicit, although for the avoidance of doubt this could be referred to in the strategy. It is not considered that the addition, or otherwise, of wording to this effect, would impact on the soundness of the plan.

Qn1b. Should the plan be seeking at 1.1.2 to ‘build upon and add value’ to the national Wales Spatial Plan?

Consistency test C3 advises that a test of soundness is that the Plan must have regard to the Wales Spatial Plan. It does not advise that the LDP should build upon and add value to the Wales Spatial Plan. The Plan needs to demonstrate that it has had regard to the Wales Spatial Plan.

Qn1c. Having regard to coherence, is it appropriate in LS1 to describe recognised international, national and regional environmental features as key local needs and issues?

While LS1 acknowledges the importance of recognised international, national and regional features as needing identification and protection in the LDP it could be argued that they are not key local needs and issues. However LS1 goes on to refer to locally important features so the grouping together of these elements under LS1 is not considered to affect the soundness of the Plan.

QN1d. Should the Welsh Language be addressed directly in the Plan?

Planning Policy Wales recognises that the Welsh Language is part of the cultural fabric of Wales. All local planning authorities should consider whether they have communities where the use of the Welsh language is part of the social fabric, and where this is so it is appropriate that this be taken into account in the formulation of land use policies. All local planning authorities should include in the reasoned justifications to their development plans a statement on how they have taken the needs and interests of the Welsh Language into account in plan preparation.

The Council would need to demonstrate that they have complied with the guidance in Planning Policy Wales, and confirm if this is an issue requiring redress. If not, no further action/amendment to the plan is required.

Qn2a. As Objective 1 generally seeks to produce 'high quality sustainable places' is it necessary to also modify Objective 1c to repeat the word 'sustainable' specifically in relation to the regeneration of the Porthcawl Waterfront and having regard to its proximity to sites of conservation importance?

No, the overarching aim of Objective 1 is to produce high quality sustainable places. The addition of the word 'sustainable' to Objective 1c is unnecessary.

Representations seeking minor wording changes to plans should only be made to ensure a potentially unsound plan can be found sound.

Qn2b. Should paragraph 2.3.31 further define the status of protected sites near Porthcawl and their legal status or is that suitably addressed in the Plan?

No, it is considered that the issue of protected sites is adequately covered in the Objectives of the plan.

Qn2c. Does Objective 2e also need to repeat national policy in Planning Policy Wales aimed at reducing energy demand and improving energy efficiency?

No, paragraph 2.2 of Local Development Plans Wales 2005 advises that 'though LDP's must have regard to national policies they should not repeat them...'.
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Qn2d. In Objective 3f, what does 'realistic' mean when describing town and district centres and is use of the term coherent?

The use of the word realistic is not considered to be a measurable term, and would not aid the subsequent monitoring of the effectiveness of the objective, however the inclusion or deletion of the word is not considered to impact on the overall soundness of the Plan. It would assist delivery of the plan if the term 'realistic' were defined in the text or a more suitable phrase is used which is both clear and understandable as a substitute.

Qn2e. Does the Sustainability Appraisal and other supporting information demonstrate that environmental considerations have suitably informed the regeneration strategy notwithstanding the omission of such a reference from the listed considerations at paragraph 2.3.11?

The Plan as a whole has been subject to a Sustainability Appraisal. The exclusion of any reference to the SA in paragraph 2.3.11 is not considered to impact on the soundness of the plan.

Employment and the Economy

Qn2f.

(i) Why do Policies REG1 and SP9 provide for as much as 153ha of employment land?

The Council have advised that justification for the level of employment land provision is detailed in Background Paper 9 – Employment Land. The Council is pursuing a regeneration led spatial strategy that aims to deliver investment and opportunity to areas and communities within the County Borough of previous or current decline. Paragraph 2.7 of the Background Paper then goes on to say that ‘opportunity needs to be given across the County Borough on a range of sites giving choice to both potential investors in to the County Borough and to enable local businesses.....’

The background paper categorises the land that has been allocated into 3 main areas:

- 1 – The retention of existing and well established employment / industrial estate areas which contain only ‘pockets of vacant land’.
- 2 – Allocated new employment land in areas of identified growth, the SRGA’s.
- 3 – Allocated Strategic Employment Sites which benefit the whole of the County Borough.

By categorising the land in this way it clearly defines the aspiration for employment growth. In respect of the first category the area of land remaining is relatively small and comprises land in existing employment areas.

It would be beneficial if only land allocated for development were included in the relevant policies. Clarity should be provided on what are allocations, what are commitments and what is existing employment land that is not considered to be either an allocation or a commitment, but is worthy of protection.

(ii) How much of that supply represents new allocations that are not already the subject of extant planning permissions?

This will be a question for Bridgend Council to provide a response to.

(iii) Does that high level of employment provision have implications for the amount of housing provision given that the Cambridge Econometrics report concluded that economic growth would be reduced and that fewer households would be created as a result?

While the Cambridge Econometrics (CE) Report concludes that employment growth is not expected to be as strong as previously projected, it is considered

important that there is some correlation between the amount of employment land and the projected growth in population and housing.

Please also refer to Welsh Government statement 'Housing Session 2 : Housing Need and Supply' Question 1a(i)4.

(iv) If employment land provision substantially exceeds likely demand, would that risk substantial non-delivery and uncertainty in relation to the allocated sites including delivery of the mixed use sites and the regeneration-led spatial strategy?

As detailed above, there needs to be a detailed assessment of all the employment allocations to ensure that they are viable, free from constraints and deliverable within the plan period. Where sites have been allocated for a particular purpose for a number of years and have not come forward for development, questions should be asked as to whether this is the most appropriate allocation of the land in question.

(v) Is the extent of provision 'realistic about resource availability' including for infrastructure and site restoration?

It is considered that Bridgend County Borough Council would be able to provide a response to this question.

(vi) Would the extent of supply discourage speculative development for employment purposes?

No comment.

(vii) Does providing land to meet 'as yet unidentified needs' justify the extent of the proposed provision?

Bridgend County Borough Council to respond.

(viii) Has any consideration been given to the cumulative employment land supply including adjoining authorities?

Bridgend County Borough Council to provide a detailed response.

Local Development Plans Wales 2005 seeks to ensure that a key principle for the preparation of a LDP is collaborative working with neighbouring authorities, including regional economic development or regeneration strategies. Consistency Test C1 seeks to ensure that 'it is a land use plan which has regard to other relevant plans, policies and strategies relating to the area or to adjoining areas'.

(ix) Is it necessary to protect all the allocated sites from other forms of development?

Land allocated for employment purposes should be protected from other forms of development to ensure that the Councils spatial regeneration strategy is not undermined. Where allocated sites are not key to the overarching strategy and have been allocated for a long period of time without coming forward for development it may be appropriate to consider alternative uses. This could maximise the development of brownfield sites although any alternative uses would need to ensure that there is no adverse impact on existing users, prejudice any future expansion opportunities or result in greater pressure for greenfield development.

(x) Some REG1 sites are proposed for B1 and B8 development. Why does REG2 protect 'industrial land and buildings' and not other forms of employment land?

It would seem appropriate, for clarity, that the wording of Policy REG2 be amended to include reference to other forms of employment land, and not just industrial land and buildings. As worded Policy REG2 does not implicitly protect B1 land and buildings from alternative uses.

Regeneration Led Development

Qn2g. Housing need and supply will be considered at tomorrows session. However if some representors are correct in saying that additional housing allocations should be made to bring the housing supply figure closer to the 11,000 figure in the Welsh Government Household Projections plus a margin for non-delivery, is there scope to maintain a similar proportion of housing supply within the SRGA's such that the spatial strategy would be maintained.

It would be for Bridgend County Borough Council to demonstrate that the SRGA's have suitable sites available to accommodate any additional housing sites if the Inspector considers it appropriate to increase the housing supply figure in line with the latest Welsh Government Household Projections.

Qn2h. In the LDP what is the proportion of allocated housing land on Greenfield sites as opposed to brownfield (previously developed) land?

This would be appropriately addressed by Bridgend County Borough Council.

Qn2i To increase the housing supply would it be preferable to:

- (i) use previously developed employment land;**
- (ii) use greenfield land that has already been allocated for new employment on mixed use or standalone sites; or**
- (iii) release additional greenfield site on the edge of urban areas?**

If a further release of land were considered to be necessary, any such sites should accord with PPW and the spatial strategy of the plan. Key to identifying

additional sites would also be that they are supported by the appropriate SA/SEA information/assessments to enable their inclusion in the plan and comply with the relevant legislation.

Qn2j. Will the Councils intended preparation of an online LDP site database as part of the Annual Monitoring Report suitably address the Welsh Governments concerns about the lack of clarity of delivery of the Strategy and especially ‘the linkages between Table 3.1, Policies COM1 and COM2, paragraph 6.1.5 and the PLA1 settlement hierarchy?

More information would be required from Bridgend County Borough Council to demonstrate how the online LDP site database would relate to and indicate whether the strategy is being delivered, and how it would demonstrate the linkages referred to above. It is not considered that there is adequate additional information available to provide a detailed response to the question raised.

Qn2k Why is more flexibility needed?

Flexibility is considered necessary to ensure delivery of the strategy due to unforeseen variables impacting on deliverability of sites/units coming forward. The Welsh Government has previously indicated a notional figure of 10%, although this figure is not set out in policy and should be based upon evidence of previous under delivery by the local planning authority, reflecting local.

Qn2l. Would Greenfield sites be likely to be developed first because of their lower development costs and lower alternative use values?

Possibly yes as they generally represent a more viable form of development. However a balance will be required between greenfield/brownfield sites to ensure a sufficient supply comes forward to deliver the strategy, reflecting on issues including lead-in times, provision of infrastructure etc.

Qn2m. Would such development support the regeneration – led strategy or undermine it?

Support. Key is the relationship between the different components of the housing provision ie phasing, timing, infrastructure etc, essentially explaining a robust housing delivery trajectory over the whole plan period. This will address all known, and allow flexibility, for unknown issues, to deliver the level of provision, on the appropriate range of sites, to deliver the quantity and mix/types of housing identified through the local market assessment.

Qn2n. The Countryside Council for Wales seeks the amendment of Policy SP1 to provide that the scale of development should reflect the environmental capacity of an area to accommodate growth.

Is that necessary or is it suitably addressed by reading the LDP as a whole to include policies SP2, PLA4 and ENV4-6?

All aspects of sustainable development should be taken into account when determining the scale and location of development ie economic and social factors as well as environmental issues. The strategy should represent the outcome of such deliberations, supported by a Sustainability Appraisal, based on robust evidence. There is no necessity to refer to 'environmental capacity'. This phrase is a subjective assessment based on the weighting attributed to various aspects of an assessment. It is unnecessary in this instance.

SRGA Boundaries and Settlement Hierarchy

Qn2o. Is PLA1 directed at all forms of development or only at housing? If the latter, should that be made explicit in the interests of coherence?

As worded it would seem that the PLA1 is directed at all forms of development. The Council can advise if this is not the case.

Qn2p. SP1 says that : 'In particular, development will be focussed in the (SRGA's). Paragraph 3.1.15 in support of PLA1 says the identified settlements will continue to be the main focus of future planned development.' How are these statements to be reconciled when Pencoed and Pyle/Kenfig Hill/North Cornelly are listed as main settlements and have strategic employment allocations but are not included in the SRGA's.

The Strategy does make it clear that the SRGA's will be the focus of development but the Council do appear to recognise the contribution that the settlements detailed above can make. It will for the Council to make a detailed justification of Policy SP1.

Qn2q. As long as a proposed windfall development lies within a defined settlement boundary how will it be assessed whether its scale is 'commensurate with the role and function of the settlement'?

This will be a matter for the Council to respond to.

Qn2r. Would that be a fifth SRGA?

If Pencoed were to be identified as being a strategic location for employment and residential development it would have to be questioned whether it would become a fifth SRGA. However this would be likely to be dependant on whether any future development were seen as being a key to regenerate the area of whether it was building on an already buoyant employment and residential area.

The Council would be able to provide a more detailed response to this question.

Qn2s. What effect would that have on the regeneration led strategy?

It could potentially dilute the aspirations for the other SRGA's. There would need to be a justifiable need for any additional areas of development based on the evidence base. If existing areas of development were to be identified this would clearly impact on the potential of the other SRGA's to attract development.

Qn2t. Would there be a conflict with the Wales Spatial Plan which does not recognise Pencoed as a key settlement?

Rather than necessarily being in conflict with the Wales Spatial Plan, a more important consideration is whether the identification of Pencoed as a SRGA accords with the evidence base. The Council would be able to make a more detailed assessment.

Qn2u. Does the strategic development permitted and planned nearby at Llanharan in Rhondda Cynon Taff have any bearing on this?

The Council will have needed to have regard to the cross boundary issues and that it would be compatible with the development plans prepared by neighbouring authorities in order to comply with Coherence and effectiveness test CE1.

Qn2v. What is the reason for now excluding South Cornelly from being part of that main settlement and why was it previously included?

The Council would be more appropriately placed to deal with this matter.

Qn2w. Is it these environmental constraints that the Council considers make the settlement unsuitable for inclusion in the SRGA rather than a risk of undermining the regeneration strategy, as the Council suggested in its response to Representation 850.5?

No comment.

Qn2x. Could all development in the Plan be accommodated at Bridgend as one Representor suggests and, if so, would that accord with national policy, and what would be the implications for the rest of the authorities area?

While it may be possible in theory to accommodate all development at Bridgend it is unlikely that this would accord with national policy which seeks to ensure that development is located in the most sustainable locations and accords with the evidence base. It could result in a lack of affordable housing in the areas where the most need is and also fail to contribute to the regeneration of other areas and not contribute to the sustainability and/or viability of other settlements.

Qn2z. As written the Policy would preclude not only unacceptable impacts but also any acceptable detrimental impact as well. Should it read 'Development likely to have an unacceptably detrimental impact etc?

Consideration would need to be given to whether there would ever be any circumstances where there could be an acceptable detrimental impact. It could be argued that any detrimental impact would be unacceptable.

Qn2aa. As greenfield development of unallocated land outside settlements would contravene Policy ENV1, is Policy PLA2 necessary?

Policy PLA2 relates to the implementation of regeneration strategies whereas ENV1 is concerned with development in the countryside. The two have different objectives and it is therefore considered that both policies are necessary, although the deletion of PLA2 is not considered to impact on the soundness of the plan.

Qn2bb. What examples of other forms of development might be controlled by the policy?

The Council would be able to provide a detailed response to this question and question 2aa above.

Qn2cc. As it reflects national policy at Section 4.8 of Planning Policy Wales, would a different approach risk making the plan unsound?

An approach which directs development to greenfield sites would be contrary to advice in Planning Policy Wales which clearly expresses the Welsh Governments preference for the re-use of previously developed land wherever possible.