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Eich cyf • Your ref
Ein cyf • Our ref A-PP030-01-002

Date 30th March 2009

Dear David,

**Bridgend County Borough Council's Local Development Plan 2006-2021: Preferred Strategy Regulation 15 Consultation
Welsh Assembly Government Response**

Thank you for consulting the Welsh Assembly Government regarding Bridgend County Borough Council's Local Development Plan pre-deposit documents. We are pleased to see progress being made in furthering a development plan for the area.

It is for the statutory consultation bodies and their equivalents to contribute to Sustainability Appraisal (SA) including Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment exercises and your expert group to help you assess if they are fit for purpose.

As always, we would urge you to seek your own legal advice to ensure that you have met all the procedural requirements, including screening for SEA, because responsibility for these matters rests with your Council.

In respect of the other pre-deposit documents we would refer firstly to the new approach to examining LDPs and the way we address this stage of pre-deposit documents involving the preferred strategy, options and other background material from a policy perspective. Please note that there will be a need to obtain and consider advice and representations from other relevant Assembly Government Divisions regarding candidate site proposals or aspects of detailed site assessment.



In the past our comments at UDP pre-deposit draft stage would have been in the form of specific objections to policy omission, relevance or wording which, if not addressed at deposit or pre-inquiry changes, would be considered by the Inspector in arriving at the recommendations in the Inspector's Report.

Under the new system, the responsibility rests with the local planning authority to ensure that a submitted LDP is sound in procedural terms and enshrines the principles of early community engagement, transparency, consistency, coherence and compatibility to neighbouring authorities. If these principles have not been addressed adequately at the earliest stages of preparation, then the deposit LDP may be considered unsound and unfit for examination. Front loading the evidence base and making this publicly available at all plan preparation stages will be essential.

Without prejudice to the Minister's discretion to intervene later in the process and to the independent examination, the Assembly Government is committed to helping local planning authorities minimise the risk of submitting unsound documents by making appropriate comments at the earliest stages of document preparation, and particularly at the Regulation 15 pre-deposit consultation stage.

To do this, the Assembly Government looks for clear evidence that the ten tests of soundness (as set out in 'LDP Wales' and the 'LDP Manual', and explained further in guidance issued by the Planning Inspectorate) are being addressed.

Having considered all the submitted documents provided by Bridgend CBC under Regulation 15, we acknowledge the amount of work undertaken by the authority to reach this stage. We also appreciate that the LDP system is new and that authorities have to learn as they progress.

To ensure your authority secures a sound plan in due course, we have provided a strategic assessment of the Preferred Strategy document (as supported by the other documentation you have provided). We have indicated where evidence of soundness is not immediately clear. The annex to this letter sets out the detailed comments of the Assembly Government on the Preferred Strategy document; some comments relate to more than one test of soundness and we have provided cross-references where most appropriate.

We have noted some areas of concern, both where the documentation has not made clear certain matters, as well as in relation to certain strategy and policy issues. We consider that on-going self-assessment by the authority throughout the process of LDP preparation is important (as recommended at para 6.5.1 of the LDP Manual). We consider that you need to address some substantive matters, as outlined below, before you produce a deposit plan:

- There is a lack of clarity over the **growth options** considered. It is unclear how the low, medium and high employment growth options (options 6-8) relate to proposed levels of housing provision. The preferred option may potentially not provide sufficient labour to meet projected employment growth with implications for commuting patterns. There are concerns whether the choice of the Trend Based Growth Option suitably reflects aspirations for economic growth in the sub-region.
- Clarify and evidence that all the options for increasing the **affordable housing** target have been explored, and clarify the reasons for and viability of the thresholds chosen to deliver affordable housing.
- A key component of the evidence base to support housing growth is the authority's **Local Housing Market Assessment (LHMA)** which is not due to be completed until later in 2009. This evidence may require refinement of growth levels in the Deposit Plan.

- Under sections 225 and 226 of the Housing Act 2004, local authorities have a duty to assess and consider the needs of **Gypsy Travellers**. There is no evidence of a Gypsy Travellers assessment being undertaken in the Preferred Strategy, as no reference is made to Gypsy Travellers.
- The **employment land** bank is an over allocation (217 hectares) when comparing short term and long term take up rates (the plan appears to favour the latter), which represents 11 hectares per year or 165 hectares over the Plan period.
- **Minerals safeguarding zones** and **buffer zones** must be identified and taken into account in the strategy at an early stage.
- The delivery of **infrastructure** to support development should be integral to the plan and articulated accordingly. This should have regard to, in broad terms, the scale, location, timing and funding of infrastructure to demonstrate sufficient certainty of delivery over the plan period.
- It is unclear how **flooding** and inundation have been addressed by the strategy and the impact of flooding on the proposed strategic sites located in flood zones C1 and C2, including mitigation measures.
- The deposit plan will need to be **flexible** enough to respond to circumstances such as emerging regional work (WSP, RTP, etc.) and evolving national / regional population / housing numbers and to include **contingency** approaches if the private sector are unable to deliver or the planned infrastructure required cannot be funded.

Providing that data exists and work has been undertaken where apparent gaps in the evidence base have been identified, we believe that much of this advice can be accommodated by refining and including emerging background material, for the deposit plan and its supporting documentation. This should not delay deposit plan preparation and should improve the prospects of the plan being deemed sound.

You should document your response to our comments in your Consultation Report.

To assist your authority in taking forward the LDP, we would be happy to meet with you and your colleagues to discuss our response. If you have any queries in relation to the response, please contact Emma Gladstone (on 029 2082 3734) or myself.

Yours sincerely

Mark Newey

Joint Head of Plans Management and Performance Branch
Planning Division

(enclosure – annex)

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