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Eich cyf • Your ref DEV15/006  
Ein cyf • Our ref APP030-01-025

**30<sup>th</sup> April 2009**

Dear Mr Hurr

**Pembrokeshire County Council Local Development Plan: Preferred Strategy  
Regulation 15 Consultation  
Welsh Assembly Government Response**

Thank you for consulting the Welsh Assembly Government regarding Pembrokeshire County Council's Local Development Plan pre-deposit documents.

Continued progress to achieve an adopted plan to steer and influence development over the next 10 to 15 years will assist your authority in maximising the opportunities and benefits to the community as a whole. I would encourage you to maintain your current momentum.

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 Pembrokeshire CC 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) and note that your self-assessment to date is provided at Appendix 6 of the Preferred Strategy.

We consider that you need to address some substantive matters, as outlined below, before you produce a deposit plan:

- Given the geographical and functional relationships between Pembrokeshire and the **National Park**, it is important to continue to build on the Joint Statement of strategic principles intended to guide preparation of the two LDPs which was agreed by both LPAs in August 2008. It is critical that the strategies of these two emerging LDPs are complementary, are based on an understanding of inter-relationships, that there is agreement on key evidence base (which should be in accordance with national policy) and that policy anomalies are avoided. These matters continue to be raised with both local planning authorities
- Ensure the chosen **strategy** (both growth and spatial aspects) of a 50% urban (hubs) / 50% rural split and the related settlement hierarchy is clearly and firmly founded on a **robust evidence base** and that the key elements can be **delivered**.

- This should include the implications of the housing requirement and need from the **Local Housing Market Assessment (LHMA)**. The LHMA is a key component of the evidence base to support housing growth and it is very concerning that it has not been finalised nor used appropriately. The significant difference between the LHMA and evidence used will require greater explanation.
- Clarify and evidence that all the options for providing a maximised **affordable housing** target have been explored, and provide reasons for and viability of the thresholds chosen to deliver affordable housing. The implications of not achieving this will require explanation.
- 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 an Accommodation Needs Assessment having been undertaken.
- **Strategic policies** in the deposit plan must provide greater detail and clarity, being well aligned to the objectives and chosen strategy with supporting justification to indicate **delivery mechanisms** and **timescales for implementation**.
- **Employment land** requirements (numerically and spatially) need to be clarified.
- **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.
- 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 Elaine Ancrum (on 029 2082 3710) or myself.

Yours sincerely

**Mark Newey**

Joint Head of Plans Management and Performance Branch  
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**(enclosure – annex)**

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