

## Torfean LDP

### Reg 15 Pre-Deposit Consultation: Welsh Assembly Government Response

(We note that a self-assessment based on the soundness tests has <b>NOT</b> been provided at Preferred Strategy stage; - LDP Manual 6.5.1)	
<b>P1 - Prepared in accordance with the Delivery Agreement including the CIS</b>	
<b><u>Comments</u></b>	<b><u>Suggested Actions</u></b>
We assume that the Preferred Strategy has been prepared in accordance with the Delivery Agreement. Please advise if this is not the case.	N/A
<b>P2 - Subjected to Sustainability Appraisal including Strategic Environmental Assessment (and Habitats Directive Appropriate Assessment)</b>	
<b><u>Comments</u></b>	<b><u>Suggested Actions</u></b>
<p><b>SA/SEA:</b> We note that:</p> <ul style="list-style-type: none"> <li>- para 2.53 of the Preferred Strategy advises that it has been subject to SA/SEA ; supporting documents (prepared by Atkins) are the <i>Initial Sustainability Appraisal Report (ISAR) &amp; Appendices</i>, and the <i>ISAR Non-Technical Summary</i>, (all Jan'08), (+<i>Draft SA/SEA Scoping Report July'06</i>).</li> <li>- sustainability objectives are identified;</li> <li>- key sustainability issues are identified;</li> <li>- the LDP strategic objectives have been tested against the SA/SEA Framework;</li> <li>- the 4 Strategic Options have been assessed;</li> <li>- the strategic policies have been assessed;</li> <li>- mitigation measures for each policy have been identified;</li> <li>- the SA Framework of objectives, indicators and targets is at Fig 4.5 of ISAR.</li> <li>- the ISAR is subject of current consultation.</li> </ul> <p><b>Habitats Appropriate Assessment (HRA):</b> We note that:</p>	N/A

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<ul style="list-style-type: none"> <li>- the Preferred Strategy has undergone the first stage of the HRA assessment in discussion with CCW;</li> <li>- para 2.53 of the Preferred Strategy advises that it has been subject to HRA (we note that the SA/SEA &amp; HRA are running in parallel but are clearly distinguishable – please note that the finalised Annex to TAN5 should issue in final form shortly); supporting document is the <i>Habitats Appropriate Assessment (HRA) Screening Report, Jan'08</i></li> <li>- the Screening Report advises that:- there are no Natura sites within the boundaries of Torfaen CBC; consideration has been given to the 9 sites identified by the LPA in adjacent authorities &amp; a further 2 sites identified by CCW (paras 5.2&amp;3 of Report); consideration of 13 strategic housing &amp; 6 strategic employment sites – found potential for effects on 4 SACs &amp; that significant effects on these are likely to be only 'in combination' with other LPA's Preferred Strategies.</li> </ul>	To note
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### **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.**

<u>Comments</u>	<u>Suggested Actions</u>
<p>We note that section 2 of the preferred strategy aims to provide the national, regional and local context for the LDP and refers to a number of the key <b>relevant plans, policies and strategies</b>:</p> <p><b>National:</b> NAW SD Scheme, PPW, MPPW, Circulars, MIPPS, TANs; WSP (Capital Network) (&amp; the anticipated Strategic Development Project).</p> <p><b>Regional:</b> Heads of the Valleys Strategy (HOV)-<i>Turning Heads</i>; SEWSPG (housing apportionment); SEW Regional Waste Plan; Sth Wales Regional Technical Statement on Aggregates; Sth Wales Regional Transport Plan; neighbouring development plans (BIGw, Crpphly, Monm, Nwprt, BBNP).</p> <p><b>Local:</b> Tfn Community Strategy; Tfn Children &amp; Young People's Plan 03-08; Tfn Local Housing Strategy; Tfn Regeneration Strategy; Tfn Local Biodiversity Action Plan; Draft Plan for Cwmbran Town Centre;</p> <p><b>Background studies (14)</b> – Urban Hsg Capacity, Employment Land &amp; Premises, Ph1 Habitats, Retail &amp; Leisure, Joint LHMA (Mom/Npt/Tfn ), Joint HLAS, LANDMAP/SLA, Rec &amp; Open Space, Rgnl Waste</p>	<p>The status of the 'draft plan for Cwmbran Town Centre' (para 2.51) is questioned - will it be SPG?</p> <p>We note that, although</p>

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<p>Sites, Aggregates Safeguarding, Coal Safeguarding, Renewable Energy, Gypsy Traveller, Nth Tfn Transport Study.</p> <p>Appendix B of the ISAR also contains the review of Relevant Plans &amp; Programmes &amp; identifies implications for the LDP (ISAR App. p.55ff).</p> <p><b>Relationships:</b> Whilst the Preferred Strategy document references various plans and policies of the local authority together with those of other local authorities, the relationship between them is not developed and clarified to any extent. It is considered that there needs to be a clearer link between the contextual background strategies and their influence on the Preferred Strategy; this especially important with Newport which lies immediately to the south of Torfaen and which is promoting the Eastern extension of the city at Llanwern.</p>	<p>commissioned, the <b>background studies</b> are not all complete (see more detailed comments also at test CE1&amp;2) – timing information within the Preferred Strategy document would have been helpful – we note that timing information is available on the web-site.</p> <p>Ensure appropriate evidence is available and its influence in developing and supporting the strategy is clear</p> <p>Ensure that it is clear how the contextual strategies have influenced the Preferred Strategy; clarify the relationship with Newport in particular</p> <p>Ensure evidence is provided on the areas of joint working identified both within the authority and external organisations.</p>
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<b>C2 It has regard to national policy.</b>	
<b>Comments</b>	<b>Suggested Actions</b>
LDP Wales (and the PPW Companion Guide) makes clear that though LDPs must have regard to national policies, they should not repeat them, but rather explain how they apply to the local area. The	<i>See comments under soundness tests CE1 &amp; CE2</i>

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draft strategic policies in the preferred strategy document should be the key delivery mechanisms for areas of change in the preferred spatial strategy (LDP Manual paragraph 6.5.1).

*N.B. Comments in relation to national policy are included under soundness tests CE1 & CE2*

### **C3 It has regard to the Wales Spatial Plan**

#### **Comments**

Paras 2.8 –12 specifically refer to the framework setting role of the WSP and to the Strategic Development Project; para 2.12 advises that the DP will deal with the role and functions of settlements and indicate the likely strategic sites and projects.

The Preferred Strategy appears to provide a good fit both with the Wales Spatial Plan vision for South East Wales and the emerging area work.

However, there is little clarification of how the strategy fits in with establishing stronger links within the region, between the region and the rest of the UK, and internationally where appropriate.

*See also further comments under Soundness Tests CE1 and CE2.*

#### **Suggested Actions**

Provide clarification in support of the strategy of its contribution to linkages beyond the plan area

### **C4 - Has regard to the relevant community strategy/ies.**

#### **Comments**

Appears to do so; paras 2.37 identifies the community strategy as providing the overarching vision and themes under which the LDP has been developed; para 4.4 advises that the emerging vision and objectives have been developed with significant consideration of the objectives and priorities of the Torfaen Community Strategy.

#### **Suggested Actions**

To note.

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**CE1 The plan sets out coherent strategy from which its policies and allocations logically flow and/or, where cross boundary issues are relevant, it is compatible with the development plans prepared by neighbouring authorities**

**&**

**CE2 The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives, and/or are founded on a robust and credible evidence base**

<u>Comments</u>	<u>Suggested Actions</u>
<p>The Preferred Strategy documentation should make clear what the <b>key issues</b> are that the LDP will address, what the plan <b>vision</b> is, what the plan <b>objectives</b> are, what <b>strategic spatial options</b> were considered and what the <b>preferred spatial strategy</b> is (see LDP Manual section 6.5). These are identified in the Preferred Strategy document at sections 3 to 6.</p> <p>The preferred strategy document has a succinct style and the structure of the document properly reflects the logical flow from context to issue identification, through to vision, objectives, options, to preferred strategy and strategic policies.</p> <ul style="list-style-type: none"> <li>- Section 2 summarises the <b>regional and local planning context</b>, as well as other strategies which have been used to inform the preferred strategy. There are useful “spatial dimensions” included such as the health strategy, children and young people’s plan, and Biodiversity Action Plan, all of which should usefully inform the LDP production. (<i>&amp; see comments at C1 above</i>)</li> <li>- Section 3 considers the <b>key issues</b> and para3.2 references a more comprehensive collection of data in the ISAR (in its A2 review of baseline information). However, although section 3 highlights some <b>key issues</b> affecting the borough, it fails to provide a totally clear picture of the focussed small number of key critical land-use issues for the plan area that need to (and can be) be dealt with by the LDP within the plan period; nor did it consider what type of development is needed / areas that needed protection / opportunities that could be developed. Identification of the borough’s <b>key issues, strengths, weaknesses, opportunities</b> etc. is not strong. The <b>spatial portrait</b> of the borough may need to be strengthened in the submitted LDP. A good understanding of the key</li> </ul>	<p>Clarify and strengthening the summary of key issues, and the spatial portrait of the area</p>

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<p>issues the area faces is vital in developing an appropriate vision, set of objectives, and strategy. (NB – Whilst this information may be found in documents detailed in para 3.1 - the SA scoping report &amp; ISAR - a summary could usefully be included in the LDP). Out-migration in the north following the decline of the coal and iron industries, and in-migration in the south are identified as key issues; consider whether reasons for the out migration need to be explored further in the deposit plan to ensure the strategy will address the issues.</p> <ul style="list-style-type: none"> <li>- The LDP <b>vision</b> (section 4) is clear, as is the process for arriving at it through workshops and consultation. However, the vision lacks local distinctiveness. It could be more place specific, identifying what changes will have taken place over the plan period, indicating what the plan area will look like; and how people living in the area will interact between themselves and their environment. This would help form a clearer link to the objectives and strategy, giving a picture of how the area functions in 2021.</li> <li>- Para 4.6 advises that the LDP <b>objectives</b> (section4) are intended to deliver the community strategy objectives; they appear comprehensive in their coverage of all the issues identified in section 3, but again there is a lack of local distinctiveness and detail. Tighter clear SMART objectives which include details of the actions that need to be taken to achieve the vision (and timescales if appropriate) will make them easier to monitor and ensure the strategy is being delivered. Objective 17 is not land-use.</li> <li>- The summary analysis of the <b>spatial strategy options</b> considered (i.e. urban containment, market led, network of integrated communities, consolidation, existing local plan), and the <b>preferred strategy</b> and <b>key diagram(s)</b> (sections 6) appear to be broadly relevant to the area and are land-use. Reasons for the selection of the preferred option (network of integrated communities), are clear (at sections 5). However: <b>(i)</b> given the argued primacy of the WSP at paras 2.8 &amp; 4.3, the options could perhaps have focused a bit more on mechanisms for linking the potential of the south with “needs” of the north (para 2.12) - the chosen option (5.7) does this to some extent but without much explicit analysis of how “spreading growth” is to be achieved; <b>(ii)</b> the appraisal of options and environmental effects arising did not consider the benefits to be had from urban containment and the ability for co-location of energy, heat and cooling uses in order to reduce carbon emissions. Environmental performance appears to be biased solely towards loss of greenfield land.</li> </ul>	<p>To consider</p> <p>Consider amending the vision to make it locally distinct and enable the LDP objectives to be clearly related to the vision.</p> <p>Consider amending the objectives to make them more specific to the plan area and aid clarity for monitoring; ensure that any links / inconsistencies / conflicts between objectives are identified and also identify any prioritisation that is required. Delete objection 17.</p> <p>To consider and for clarification.</p> <p>To consider</p>
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<ul style="list-style-type: none"> <li>- Section 2.52 lists <b>background studies</b> that are intended to provide an <b>evidence base</b> to the preferred strategy and will inform the subsequent deposit plan; other supporting documents are listed separately in section 11. A number of studies in the evidence base are not yet completed and these gaps make it difficult to adequately assess the preferred strategy, its objectives and strategic policies. Clarity of the Preferred Strategy would have been improved if the status of the evidence base had been indicated (studies completed / in progress with target completion / to be commissioned), and if it was referenced under relevant sections throughout the preferred strategy.</li> <li>- The <b>strategic policies</b> (section 7) should be developed further in the deposit LDP so that links to the objectives are clear, and also delivery mechanisms and timescales for implementation are identified. Some of the <b>strategic policies</b> are very generic such that the section on the preferred strategy option fails to relate well to the strategic policies and vice versa.</li> <li>- <b>Monitoring</b> is referenced from para 9.2 to the SA/SEA Scoping Report; the ISAR advises that the SA/SEA monitoring arrangements will be confirmed at deposit; at present it is unclear how the plan's strategy and policies will be monitored.</li> <li>- Consideration should be given in developing the deposit plan to broad <b>phasing</b> for developing housing and employment land over plan period.</li> <li>- There may be a need to include more <b>detailed policies for major areas of change</b>, such as the regeneration sites identified in the preferred strategy.</li> <li>- Clarification of how the site evaluation process (through the <b>candidate site methodology</b>) will work is provided (section 8); (a draft assessment methodology document accompanies the Preferred</li> </ul>	<p>Background documents need to be available asap to ensure they can input into the development of the LDP. The deposit plan must be supported and influenced by an appropriate sound evidence base. If any fundamental aspects of the Strategy change when the evidence is finalised, the documentation must make clear where such changes occur.</p> <p>Ensure the policies provide clear requirements as to how the spatial strategy will be delivered; and that they are well related to the preferred spatial strategy.</p> <p>To note</p> <p>To consider</p> <p>To consider</p>
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<p>Strategy, indicating a 3-stage assessment of all candidate sites and, for those that satisfy that assessment, a further 2-stages). The web-site advises that the deadline for submission of potential candidate sites has officially passed.</p> <p>- A programme for preparation of <b>SPG</b> is provided at section 10; although it is not clear what the dates signify (is it draft SPG?)</p>	
<p><b>Preferred Strategy - deliverability and flexibility</b></p> <p>Whilst there is an indication of the type, scale and location of development required to achieve the strategy, the <b>deliverability</b> of the preferred option has not been addressed in the preferred Strategy document.</p> <p>The deposit LDP should be sufficiently <b>flexible</b> to enable it to deal with changing circumstances (such as a site not coming forward for development), and identify any contingencies that might be in place, or what would trigger a review of the Plan.</p>	<p>The deposit LDP will need to develop further the type, scale and location of development required to achieve the strategy. Particularly important will be ensuring that the key sites identified can be delivered, and providing the timescales that are proposed for this delivery.</p> <p>Funding streams, key delivery agents, and infrastructure requirements will need to be identified at an early stage.</p> <p>Ensure the preferred strategy is sufficiently flexible to respond to changes in the economy, housing market assessment, strategic site take up and other changes.</p>
<p>Paragraph 3.5 contains a useful indication of the <b>three separate sub-areas</b> within the borough. Is this to be developed further in the LDP with specific area based policies? The links and interactions between these areas should also be identified in the deposit LDP, such as how accessibility between the northern and southern area will be improved (an issue identified in para 3.11); and how improving</p>	<p>To consider and clarify these internal linkages</p>



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<p>the accessibility will benefit the northern area by opening up further opportunities to take advantage of the areas heritage assets.</p> <p>The WSP identifies Cwmbran and Pontypool as key settlements not Bleanavon. There is a need to reconcile terminology as to settlements and strategic projects (eg 6.2).</p>	To consider
<p>General <b>capacity of the environment</b> to accommodate development :</p> <ul style="list-style-type: none"> <li>- The <b>strategic sites</b> identified as part of the Preferred Strategy have been considered in the urban capacity study and this includes consideration of flood risk and other general physical and environmental constraints such as topography. Therefore, there is a good indication of deliverability in terms of the capacity of the environment to accommodate development and the approach is supported. It is noted that there are some competing uses for some sites but that these have been raised and are explicit at this stage is supported.</li> <li>- However, the picture in relation to <b>water related infrastructure</b> needs to be updated. Currently, deliverability in terms of this issue is unclear, and it is impossible to tell if the strategy and allocations are realistic.</li> <li>- Similarly, the reclamation and remediation needs of strategic sites such as the British and Panteg Steelworks need to be clearly identified and the measures and means of implementation included.</li> </ul>	
<p><b>Housing</b></p> <p>It is noted from paras 2.14-21&amp; 6.5 that the plan accepts the results of the <b>SEWSPG population and household apportionment</b> exercise as its starting point (i.e. requirement for 7,000 [although 6,300 is specified at 2.21?] -dwellings over the plan period); this is in accordance with guidance contained within the Ministerial Interim Planning Policy Statement on Housing (01/2006). (It is perhaps over-stating the position in paragraph 2.17 that it is Assembly Government policy, as the MIPPS points out that this is simply the starting point and authorities have the ability to produce their own policy led projections.)</p> <p>The projected level of growth and the LHMA assumes a <b>house building rate</b> of over 400 dwellings per annum (strategy of mid to high housing provision). At present it is not clear whether this can be achieved, although any policy of restraint in Monmouthshire would clearly have implications for demand in this area.</p> <p>National policy requires that the issue of <b>affordable housing</b> is addressed. The Housing MIPPS</p>	The housing figure in the deposit LDP must be justified by Torfaen CBC on the basis of evidence.

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indicates that local planning authorities must consider the need for affordable housing and, using evidence from the Local Housing Market Assessment include an authority-wide target for affordable housing. This Preferred Strategy document barely discusses the issues of affordable housing, despite the importance attached to it at paragraph 3.13. There is no discernible analysis of housing need in the area and as a consequence the document is silent on how many affordable housing units will be provided.

Significantly, it is unclear whether the overall housing allocation of 7,000 dwellings is sufficient to address the need for affordable housing in Torfaen, particularly given that 2,800 of these dwellings are on sites "already allocated, permitted or under construction" and that under current policy affordable housing is only negotiated on "large sites". As a consequence **policy SP5 (affordable housing)** lacks clarity and certainty as the plan should clearly identify an affordable housing target based on local empirical evidence. It is also unclear how the results of the Local Housing Market Assessment have been taken into account. Furthermore, it would aid clarity if the plan clearly identified a **delivery mechanism** for affordable housing in terms of quotas and thresholds to be applied; but in the absence of an authority wide target, it would be very difficult to justify such requirements. (Social Housing Grant is referred to at para 6.8 to be used on regeneration sites when the Development Appraisal toolkit shows a site to be uneconomic without its use.)

Paragraph 6.5 and policy **SP4 (housing)** usefully identify how the housing provision will be sub-allocated within the borough but little is provided to justify this.

The plan does not give any indication of the **timing** of housing site releases and although a number of large site are identified in para 6.7 there is no indication of whether there would be any **phasing** policies to assist with the balance of the overall strategy. Risks inherent in the Housing element of the LDP will be the ability to deliver the market housing and the affordable housing in the Northern Housing

The deposit plan must be clear about housing need; it must identify an affordable housing target based on local empirical evidence and that is deliverable.

The deposit plan must indicate the evidence that the use of existing allocations is appropriate, and that these allocations are in line with the plan's spatial strategy and objectives. There will also need to be evidence that the windfall element is realistic and will be delivered over the plan period.

Timing and phasing of housing sites

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<p>Market.</p> <p>There does not appear to be any evidence of an assessment of the <b>inter-relationship</b> between the housing and employment allocations and those of neighbouring authorities.</p>	<p>should be considered for the deposit plan.</p> <p>Evidence base should include assessment of these inter-relationships.</p>
<p><b>Employment/Economy</b></p> <p><b>General:</b> Whilst the preferred strategy is in general accord with national planning policy on employment and 6 key employment sites are identified, the strategy doesn't provide a clear understanding of the issues faced in terms of access to jobs, employment needs, training needs, opportunities etc. There may be a need for the deposit LDP to be more positive and pro-active in identifying the main issues and detailing what is required (incentives, infrastructure, training etc) to ensure the issues are addressed. There is a lack of commentary about any perceived constraints or infrastructure issues. Again the issue of deliverability is key. There is no reference to phasing.</p> <p><b>Employment land:</b> There are obviously problems with forecasting employment and associated land budgets in such a small area and the additional allowance above a baseline (25-50 % - page 26 of the Study) needs to be tied back to other take up rate work being done for/by SEWEF. The Preferred Strategy (para 6.11 and <b>policy SP6 employment and economy</b>) identifies 60 ha of land for employment purposes. Whilst DTZ's Employment Land Study appears to go some way to explaining this figure (it assessed need over the LDP period to be 50 hectares), the link between the two documents is not properly explained and the study is not directly referenced in section 6.11. DTZ's report indicates that 83 hectares of employment land remain unimplemented from the previous development plan, and a further 66 ha's have been identified by the CBC as potential new allocations. However DTZ recommended 28 hectares of current land be de-allocated whilst 55 ha's of newly proposed land was considered surplus to requirements. It is not clear whether Torfaen CBC's figures are directly based on DTZ's study, and if this is the case if any of the de-allocated sites have been assessed for alternative forms of development such as housing.</p> <p>There does not appear to be any evidence of an assessment of the <b>inter-relationship</b> between the</p>	<p>The deposit plan and its evidence base should provide greater clarity about the employment land strategy and allocations.</p> <p>To consider</p> <p>To note</p> <p>To clarify</p> <p>To consider</p>

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housing and employment allocations and those of neighbouring authorities.	
<p><b>Climate Change</b> (paras 6.25-26) National and emerging climate change and general sustainability policies are given due consideration throughout the LDP, emanating from the objectives to strategic policies <b>SP1 (sustainable development)</b>, <b>SP2 (climate change)</b>, and <b>SP3 (place making / design)</b>. In particular around reducing carbon emissions, location of development, a 10% policy (to reduce CO2 emissions by minimum of 10% above Building Regulations) and habitat connectivity (paras 6.25-26).</p> <p>However, the role of climate change as a constraint is not adequately considered in Chapter 3, and further clarification and consistency of climate change mitigation and adaptation terms is necessary (SP2 and LDP Objective 11). This uncertainty is repeated in the approach to strategic policies SP1, SP2 and SP3 where there appears to be a struggle to distinguish between climate change and sustainable development, and between location of development, and design and layout decisions.</p> <p>Further consideration will be needed on :-</p> <ul style="list-style-type: none"> <li>▪ aligning the 10% policy with emerging national policy, particularly around the sourcing of renewable energy, and the threshold to be applied;</li> <li>▪ the impacts on biodiversity, green/open spaces, and the historic environment and on infrastructure from climate change;</li> <li>▪ the role of the proposed sustainable development SPG for these strategic policies;</li> <li>▪ the relationship between sustainable construction techniques to determine the location of development;</li> <li>▪ the consideration of the efficiency supply of energy on major development proposals;</li> <li>▪ the relationship between BREEAM , the 10% policy and the Code for Sustainable Homes;</li> <li>▪ the definition of sustainable design within policy SP2 which appears to be a carbon reduction hierarchy.</li> </ul> <p>The Preferred Strategy document advises that it is proposed to introduce a <b>financial contribution policy</b> for developments that do not meet BREEAM Excellent (or 40%); i.e. a local carbon offset policy (para 6.26). However there is insufficient evidence at this stage to assess whether this is a robust policy, that mechanisms are in place to implement the policy, and appropriate monitoring arrangements</p>	<p>Further consideration and clarity of the interrelationships between the policies SP1, SP2 and SP3 is required.</p> <p>To consider</p> <p>To consider</p>

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<p>are proposed to ensure that the equivalent carbon emissions are offset. There needs to be further evidence base of how the policy will work with the 10% reduction policy and a BREEAM standard.</p> <p>Policy <b>SP10 (community infrastructure)</b> considers that energy efficiency contributions will be sought though S106 under community infrastructure, this should be redrafted for clarity as 'energy efficiency <u>in existing buildings</u>'.</p>	<p>Ensure policy clarity in the deposit plan.</p>
<p><b>Sustainable Energy</b></p> <p>National policy as contained in the Ministerial Interim Planning Policy Statement and TAN 8 encourages the use of renewable energy and requires local planning authorities to facilitate the development of all forms of renewable energy.</p> <p>The MIPPS states that local planning authorities should undertake an assessment of the potential of all renewable energy resource, renewable energy technologies, energy efficiency and conservation measure and include appropriate policies in LDPs. The Preferred Strategy document does not appear to have followed this approach and there is little consideration of the role of renewable energy in the plan.</p> <p>A 'Renewable Energy' study is identified as a <b>background study</b> but this appears to not yet have been commissioned. The study should also consider low carbon energy sources and opportunities for co-location and generation.</p> <p>It is considered that the hierarchical approach outlined in policy <b>SP2 (climate change)</b> is too rigid. Local planning authorities should use whatever tools they have at their disposal to achieve a reduction in CO2 emissions depending on the characteristics of the development in question. The relegation of renewable energy to the 4<sup>th</sup> criteria of policy SP2 does not recognise the importance the Assembly Government places on the provision of renewable energy in the challenge to address climate change.</p>	<p>Ensure the evidence base for policies is sufficiently robust and that policies can be implemented.</p> <p>To consider.</p>
<p><b>Environmental Protection</b></p> <p>It is not clear how policy <b>SP9 (environmental protection policy)</b> will be effected within the context of an integrated strategy for social, economic and environmental development.</p>	<p>Ensure the deposit plan policies are sufficiently clear and robust.</p>
<p><b>Flood Risk</b></p> <p>Regard is paid to flood risk policy throughout the Preferred Strategy and accompanying documents and</p>	

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<p>the intentions behind this consideration appear to be in accord with national policy. It is noted that the <b>strategic sites</b> generally appear to be in accordance with development and flood risk policy, and the urban capacity study rules out many sites with flood risk constraints. It is noted that the British Site has issues relating to mine waters and flooding, and that the Clarence Corner, Pontypool site has had a flood consequence assessment as part of an outline application.</p> <p>However, we would stress that where delivery will rely on tackling flooding issues, it will be necessary that the policy requirements of TAN 15 should be fulfilled, including the provision of appropriate evidence. Should there be a need for further work on flood consequences assessment to inform the emerging plan, then parameters for an assessment should be agreed with Environment Agency Wales. It may also be necessary to consider what investment would be required and where, and whether there is any indication of how this may relate to flood risk management priorities.</p> <p>The <b>Candidate Site assessment methodology</b> includes reference to flood risk and utilities infrastructure. It is assumed that policy requirements in PPW and TAN 15 to avoid flood risk areas, and policy in PPW on infrastructure, will be given sufficient weight as part of the appraisal process and subsequent decisions.</p>	<p>To note and consider.</p>
<p><b>Waste</b></p> <p>There should be no doubt as to the importance of making provision for an adequate network of waste management facilities in the LDP. Reference to waste is made in paragraphs 2.22-2.25, 6.32 and policy <b>SP8 (waste management)</b>, and in the ISAR.</p> <p>It is noted that a <b>background study</b> will be commissioned to identify <b>regional waste sites</b> (the web-site advises completion by the end of 2008). The rationale for the background study recognises the need to provide between 4.4-8.0ha of land suitable for the location of waste facilities to serve more than one authority (regional/sub-regional sites) and that the 'areas of search maps' from the current Review of the RWP will be a tool to assist. It is suggested that the study would also need to consider the relationship between providing sites for waste facilities (at regional/sub-regional scale as well as for local facilities) with the overall approach to employment land supply.</p> <p>We note that the urban capacity study rules out two sites on the basis of current planning applications for waste management facilities, as well as suggesting Panteg Steelworks may be an appropriate</p>	

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<p>strategic waste site.</p> <p>The commitment to identify sites is supported and notwithstanding the fact that the RWP is yet to be finalised <u>it would have been preferable to have identified sites as part of the Preferred Strategy</u>. It is therefore considered imperative that the identification of sites for waste facilities to serve more than one authority, as well as clarifying how the local provision of facilities will be accommodated, is included in the plan as stated. Including sufficient land and suitable locations/sites to deliver a range of technology options would be the minimum necessary to deliver the aspirations of the regional waste plans and TAN 21.</p>	<p>Ensure that suitable sites and locations for waste facilities are identified in the deposit plan.</p>
<p><b>Water, sewerage and drainage infrastructure</b></p> <p>The local implications of how the water, sewerage and drainage infrastructure capacity and provision impact on preferred strategy and delivery are not sufficiently clear.</p> <p>The ISAR suggests the allocations in the existing Local Plan can be delivered despite there being capacity issues with the Eastern Valley sewer for example.</p> <p>To accord with national policy, spatial choices should be based on and influenced by evidence of capacity and ability for delivery.</p> <p>Issues to be addressed (and an indication of measures required to address them) include:</p> <ul style="list-style-type: none"> <li>- the state of capacity in terms of delivery for the LDP;</li> <li>- if the provision of infrastructure is required, then what measures are needed and how could they be secured?</li> </ul> <p>(For example what are the issues, what are the implications of public investment programmes, how will any necessary improvements be co-ordinated and what is the impact on delivery and is there a need for phasing?)</p>	<p>Ensure information is up to date and issues are addressed in the deposit LDP.</p>
<p><b>Minerals</b></p> <p>The strategy recognises MPPW and the Regional Technical Statement on Aggregates. Whilst it does make a commitment to safeguard minerals, subject to certain criteria, there is no statement that, should the RTS identify the need for Torfaen to contribute to aggregates production over the plan period, <b>specific sites, preferred areas or areas of search</b> will be identified.</p> <p>We note that Torfaen CBC, in its response to the consultation SWRAWP Regional Technical Statement for <u>Aggregates</u>, advised that it considered the process of apportionment to be flawed. The RTS report is due to be finalised in spring 2008.</p>	<p>To consider.</p> <p>We would advise that the RTS apportionment is considered within the strategy as a cautionary approach.</p>

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<p>The strategy has not been able to take the potential constraints of <b>minerals safeguarding</b> into account. Safeguarding is identified as a future step for both aggregates and coal (para 6.31). However, the potential <b>conflicts between safeguarding and other development</b> need to be resolved at this early stage of the plan process. To ensure the safeguarding of all minerals, the strategy should take into account where such conflicts may arise. The current consultation on the draft coal MTAN recognises the difficulties associated with safeguarding and sets out a pragmatic process to be followed. For coal, the basic information on the coal resource to be considered is available on the CDs which can be obtained either from the Assembly or British Geological Survey. Where proposed development lies within areas identified primary or secondary coal zones, it will be necessary to demonstrate the steps that have been taken in deciding which option to take forward.</p> <p>Torfaen CBC sought funding for a study, assumed here to be for high PSV aggregates. Our advice at this time is that it is appropriate to use the best available information in providing the evidence of high PSV rocks to be safeguarded. The line-work on the BGS geological maps will provide a first step, which will enable conflicts to be identified at an early stage. This would also ensure consistency with adjacent areas.</p>	<p>Clarification in relation to mineral safeguarding and development and any required resolution is vital to the progress of the emerging plan.</p> <p>Use the best available information in providing the evidence of high PSV rocks to be safeguarded.</p>
<p><b>Transport</b></p> <p>There is little information on the adequacy of the existing transport infrastructure and the perceived requirements that the plan needs to address, including in relation to linkages beyond the plan area.</p>	<p>To consider</p>
<p><b>Retail</b></p> <p>We note that the Retail &amp; Leisure Study was published in Sep'07. There is no indication in the Preferred Strategy of any relationship (current or future) between centres in the plan area and those beyond, e.g. between Cwmbran and Newport.</p>	<p>To consider</p>
<p><b>Agricultural land</b></p> <p>The Preferred Strategy is unlikely to lead to significant conflict with the national planning policy requirement to conserve the <b>best and most versatile agricultural land (bmv)</b> (PPW para 2.8.1). The strategic development sites, as shown diagrammatically in the Plan documents, do not appear to be threatening to the agricultural interest. Plan Objective 13 seeks to minimise development on</p>	<p>Ensure agricultural land quality is taken into account in site selection.</p>



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<p>greenfield land by promoting regeneration opportunities on brownfield land.</p> <p>However, the presence of bmv should not be discounted during the assessment of individual development sites, and should be considered whenever any significant area of greenfield is being considered for development in the south of the Plan area, from Mamhilad down to Llantarnan. To this end, it is noted in the <b>Candidate Site Assessment</b> procedure, at Stage 1, that assessment of agricultural land quality and the presence of bmv in particular is included in the initial "developability" appraisal, and this process should ensure that PPW 2.8.1 is taken into account as and when it is appropriate to do so.</p> <p>The Assembly Government's TSD3 Division will monitor the emerging LDP during the <b>Candidate Site assessment process</b>, liaise with the planning authority as appropriate, and provide already available Agricultural Land Classification information to developers on request.</p>	<p>To note this action</p>
<p><b>Built Heritage</b></p> <p>Cadw is content that the strategy strongly emphasises the historic environment and makes it a core element in the LDP objectives.</p>	<p>To note</p>
<p><b>Design</b></p> <p><b>Policy SP3</b> (place making / good design). We note that the policy requires good design of new development and provides generally clear criteria on what aspects will be considered in determining the acceptability of new development in terms of sustainable development factors.</p> <p>Assume that deposit plan will clarify if there are parts of the area that need specific LPA guidance regarding what will be required in design statements (e.g. town centre), and any information on SPG (development briefs, masterplans etc).</p>	<p>Consider for deposit plan</p>
<p><b>Gypsies and Travellers</b></p> <p>A Gypsy Traveller background study is referenced at paras 2.52 &amp; 6.9 9web-site advises completion by end of 2008); para 6.9 advises that consideration will be given to identifying permanent and transit sites in the deposit LDP.</p>	<p>Ensure documented consideration is given to addressing the needs of Gypsies and Travellers.</p>

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<p><b>Welsh Language</b> No consideration appears to be given to the Welsh language.</p>	<p>Consideration should be given to whether the Welsh language should feature in any of the LDP objectives, taking account of PPW paragraph 2.10.2.</p>
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<b>CE 3 There are clear mechanisms for implementation and monitoring</b>	
<b>Comments</b>	<b>Suggested Actions</b>
<p>Section 9 provides limited information on implementation; however, the section lacks clarity. Earlier comments above raise the issue of deliverability of the strategy.</p> <p>Section 9 states that the monitoring arrangements are set out in the SEA/SA, however the initial SA report states that the monitoring arrangements will be confirmed at LDP deposit stage. It is therefore unclear how the strategy and policies will be monitored.</p> <p>The links between the indicators and targets identified in the ISAR and delivery of the strategy could be improved and enhanced. Making the links more explicit could be achieved by specifically identifying the land-use planning indicators and targets which directly relate to strategy as distinct from the wider indicators and targets which the plan will have less of a direct impact on/relationship with and including them in the plan.</p>	<p>Ensure that there are clear mechanisms for implementation and monitoring of policy and objectives as indicated in the LDP Manual (Paragraph 9.5).</p>

<b>CE 4 It is reasonably flexible to enable it to deal with changing circumstances</b>	
<b>Comments</b>	<b>Suggested Actions</b>
<p>Until the monitoring arrangements are properly specified it is difficult to assess how responsive the plan might be to changing circumstances. Monitoring evidence should help inform or initiate future amendments or reviews.</p> <p><b>END</b></p>	<p>Ensure that the preferred strategy is sufficiently flexible to respond to changes in the economy, housing market assessment, strategic take up and other changes.</p>

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