



SPECIAL COUNCIL - 3RD FEBRUARY 2016

SUBJECT: DEPOSIT REPLACEMENT CAERPHILLY COUNTY BOROUGH LOCAL DEVELOPMENT PLAN UP TO 2031

REPORT BY: CORPORATE DIRECTOR - COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 To outline to members the representations made to the public consultation exercise undertaken in February and March 2015 in respect of the Draft Preferred Strategy for the Replacement Caerphilly County Borough Local Development Plan up to 2031 (Deposit Replacement LDP).
- 1.2 To provide an officer response and recommendation in respect of those representations.
- 1.3 To outline clearly for elected members the next stage of the plan preparation process and to note and approve the revised timetable at Appendix 1.
- 1.4 To consider the recommendations of the LDP Focus Group contained in Appendix 2.
- 1.5 To consider and approve the Deposit Replacement Caerphilly County Borough Local Development Plan up to 2031 as a basis for a statutory six-week public consultation exercise commencing in February 2016.

2. SUMMARY

- 2.1 On 27 January 2015 the Council approved the Preferred Strategy for the Replacement Caerphilly County Borough Local Development Plan up to 2031 for the purposes of a formal six-week public consultation process. This consultation period began on 11th February 2015 and ended on 24th March 2015.
- 2.2 Before the statutory consultation on the Deposit Replacement LDP can take place the full report of consultation on the Preferred Strategy needs to be considered by the Council. This report is referred to as the '**Initial Consultation Report**' (ICR). The Initial Consultation Report will be published alongside the Deposit Replacement LDP for six-weeks.
- 2.3 In total 4316 individuals and / or organisations submitted comments during the statutory consultation period, which resulted in 6840 representations. It is important to note that these comprise representations that are comments, support and objection. An officer response and recommendation in respect of the issues raised is contained within the ICR.
- 2.4 The publication of the Candidate Sites Register unsurprisingly generated a large number of responses in relation to individual sites; chief among these were: Maescwmmmer (47 responses), Ness Tar at Caerphilly (129 responses), Gwern y Domen (31 responses), Hendredenny (15 responses), Pandy Road Bedwas (22 responses), land at West of Cefn Llwyna Farm, Penallta (Peny Bryn) (195 responses), Snowdon Close Risca (33 responses). The issues raised by respondents have been considered as an integral part of the site assessment process for the preparation of the Deposit Replacement LDP.

- 2.5 There was three notable petitions in terms of numbers: There were 3129 signatures to a petition concerned about the possible development of the Ness Tar Site and Nant y Calch Farm; 453 signatures to a petition in respect of Gwern y Domen; and 323 signatures to a petition in respect of land West of Cefn Llwyna Farm (It is worth noting that these are each counted as one representation).
- 2.6 The report provides an overview of the key issues raised in respect of the Preferred Strategy and provides a summary of support and concern. It is important to note that the plan preparation process does not require an amended Strategy to be published; rather this is contained within the Deposit Replacement LDP, that will be subject of public consultation further to approval of its content by Full Council.
- 2.7 The Strategic Environmental Assessment / Sustainability Appraisal (SEA/SA) process is iterative with the production of the Deposit Replacement LDP. At the deposit stage the SEA/SA represents a snapshot in time of the plan. Any changes to the plan will be required to be subject of further assessment although the Environment Report, which accompanies the Deposit Replacement LDP, will not be amended.
- 2.8 Part 2 of the SEA/SA of the Deposit Replacement LDP is comprised of two documents, one that sets out the results of the Assessments of the detailed Deposit Replacement LDP (Document 4), and a second that undertakes the Habitats Regulations Assessment (Document 5). Both of these documents have been provided electronically to Members and are available in the Members' Library.
- 2.9 Finally the Report provides an overview of stakeholder involvement in plan preparation over the summer and provides an overview of the form and content of the Deposit Replacement Caerphilly County Borough Local Development Plan up to 2031. (This has been provided to Members electronically and placed in the Members' Library).
- 2.10 Members are invited to consider the Deposit Replacement LDP and further to this recommend to approve it as a basis for a statutory six-week public consultation exercise commencing in February 2016.

2.11 **GLOSSARY OF ACRONYMS, ABBREVIATIONS AND TERMS**

CIS	Community Involvement Scheme
DA	Delivery Agreement
ICR	Deposit Replacement Caerphilly County Borough Local Development Plan: Initial Consultation Report'
LDP	Caerphilly County Borough Local Development Plan up to 2021
Deposit Replacement LDP	Deposit Replacement Caerphilly County Borough Local Development Plan up to 2031
SA	Sustainability Appraisal
SEA	Strategic Environmental Assessment
HRA	Habitats Regulations Assessment
SPG	Supplementary Planning Guidance

3. **LINKS TO STRATEGY**

- 3.1 The Single Integrated Plan Caerphilly Delivers has been prepared by the Local Service Board it represents a determined commitment by all partners to accelerate change, strengthen partnership working, multi-agency collaboration, and accountability for delivery.
- 3.2 The Local Development Plan is the statutory framework for the development and use of land within Caerphilly County Borough and is the key mechanism for delivering the land use elements of Caerphilly Delivers.

- 3.3 Caerphilly County Borough Council adopted its first Local Development Plan in 2010 and when adopted the Replacement Caerphilly County Borough Local Development Plan up to 2031 will supersede the current LDP and will provide the land use policy framework for decision making up to 2031.

4. THE REPORT

Background

- 4.1 The Delivery Agreement (DA) for the Replacement Caerphilly County Borough Local Development Plan up to 2031 commits Caerphilly County Borough Council to produce the Replacement LDP according to the stated timescales and consultation processes contained within the Community Involvement Scheme (CIS).
- 4.2 Within the DA **Table B2: Pre Deposit Public Consultation** required the Council to undertake a six week consultation in respect of the Preferred Strategy for the Plan in October 2014 to December 2014. As a consequence of early stakeholder involvement in preparing the Preferred Strategy this consultation was deferred to February and March 2015.
- 4.3 **Table B3: Statutory Deposit of Proposals** commits the Council to the preparation of a Deposit Replacement LDP and the preparation of the Environment Report by August 2015 to September 2015. Given the delay in the aforementioned consultation process the Deposit of the Proposals has been delayed from August / September 2015 to February/March 2016.
- 4.4 There is provision for the timetable to slip up to four months within the Delivery Agreement agreed with Welsh Government. However due to reporting procedures the current slippage has extended to 6 months and consequently a revised timetable has to be agreed with Welsh Government. The revised timetable has been agreed by Welsh Government and is attached at Appendix 1. This revised timetable has been published on the Council's Web Site.

Pre Deposit Public Consultation

- 4.5 On 27 January 2015 the Council approved the Preferred Strategy for the Replacement Caerphilly County Borough Local Development Plan up to 2031 for the purposes of a formal six-week public consultation process. This consultation period began on 11th February 2015 and ended on 24th March 2015.
- 4.6 The Council must consider all representations made in accordance with LDP Regulation 16(2) at the pre-deposit public consultation stage before finally determining the content of the Deposit Replacement LDP. Representations made at this pre-deposit stage do not constitute representations to be considered at the independent examination.
- 4.7 In preparation for the deposit stage, Welsh Government guidance requires the Council to prepare an Initial Consultation Report (ICR), identifying the bodies engaged or consulted, the main issues raised and how they have influenced the Deposit Replacement LDP, and the steps taken to publicise plan preparation. Any deviation from the CIS needs to be explained and fully justified. This Initial Consultation Report (ICR) will contribute to the consultation report required when the Deposit Replacement LDP is submitted for independent examination to the Welsh Government and the Planning Inspectorate.
- 4.8 Copies of the **Deposit Replacement Caerphilly County Borough Local Development Plan: Initial Consultation Report** (ICR) have been placed in the Members' Library.
- 4.9 The Council sought to involve the public in the Pre-Deposit Public Consultation in accordance with the Delivery Agreement. Community Involvement is a fundamental element of the plan preparation process, therefore the Council have sought to engage as wide an audience as possible through different means of communication, the consultation methods used included:

- Letter to Specific Consultation Bodies
- Letter to General Consultation Bodies
- Advertisements in the Press (Campaign, Western Mail
- Articles in the Caerphilly Observer, Argus and Newline
- Social Media (Council web site, Facebook and Twitter)
- Poster Campaign (displayed within all libraries, customer service centres, post offices and a selection of shops and public houses in each ward of the County Borough)
- Mobile Exhibitions in the settlements of Caerphilly, Blackwood, Bargoed, Ystrad Mynach, Risca, Rhymney and Maesycwmmmer
- Static Exhibition based in the reception of the Council Offices in Pontllanfraith
- Notification of Pre-Deposit Consultation through each of the Community Councils
- Consultation material available on Council website

4.10 In total 4316 individuals and / or organisations submitted comments during the statutory consultation period, which resulted in 6840 representations. It is important to note that these comprise representations that are comments, support and objection. An initial assessment of the representations indicates that:

- There was three notable petitions in terms of numbers: There were 3129 signatures to a petition concerned about the possible development of the Ness Tar Site and Nant y Calch Farm; 453 signatures to a petition in respect of Gwern y Domen; and 323 signatures to a petition in respect of land West of Cefn Llwyna Farm (It is worth noting that these are each counted as one representation).
- The publication of the Candidate Sites Register unsurprisingly also generated a large number of responses in relation to individual sites; chief among these were:
 - Maesycwmmmer (47 responses – 5 support, 29 Objections, 13 comments);
 - Ness Tar at Caerphilly (129 responses- 5 support, 114 Objections, 10 comments);
 - Gwern y Domen (31 responses - 1 support, 29 Objections, 1 comment);
 - Hendredenny (15 responses - 1 support, 13 Objections, 1 comment);
 - Pandy Road Bedwas (22 responses- 2 support, 17 Objections, 3 comments);
 - Land at West of Cefn Llwyna Farm, Penallta (Peny Bryn) (195 responses all objections); and
 - Snowdon Close Risca (33 responses – 31 Objections, 2 comments).

Of the remainder, a significant number of representations were received from proposers of Candidate Sites, who were either: disappointed by the poor scoring of their site in the Council's initial assessment; seeking to change the boundary of their Candidate Site; or seeking to submit a new site.

- Finally, although small in number, there were significant comments received from Welsh Government (WG), Statutory Bodies and Commercial Organisations on the Preferred Strategy itself and a small number of responses to the Strategic Environmental Assessment / Sustainability Appraisal.

4.11 While many of those listed in the first three bullet points above were single issue representations, the particular responses described by the last bullet point raised many more individual issues and were far more complicated in scope and depth. Every comment however received has been given due consideration.

SUMMARY OF THE MAIN STRATEGY ISSUES RAISED

There follows a summary of the key issues raised through the consultation:

4.12 Support for the Strategy

- The LDP vision is clear, as is the process of arriving at it.
- The overall vision appears to be well integrated with the Single Integrated Plan.

- The strategy reduces the scale of new housing allocations in the HOVRA to more closely align with market activities and demand, targeting the majority of new development and expansion opportunities within the MVC and SCC and this is supported.
- The strategic options and preferred strategy are broadly relevant to the borough.
- The release of greenfield land for development where it is supported by an integrated transport system, which encourages modal shift and reduces the need for car borne journeys is supported.
- The commitment to retention of open space within development boundaries is to be welcomed.
- The longer-term plans for improved rail infrastructure are supported.

4.13 **Concern with the Strategy**

- The vision is generic with no mention of key places or areas of change; in essence it is not clear how the strategy is reflected in spatial terms.
- The reference to Cardiff Capital Region is inappropriate.
- There are 41 key aims and objectives many of which appear to be unnecessary duplicated.
- The Preferred Strategy should be sufficiently flexible to respond to changes in the economy.
- There needs to be sufficient flexibility within the plan in order to ensure that the level of housing needed over the plan period can be delivered in a timely manner.
- The scale and distribution of sites for development is unclear.
- The strategy is reliant on two strategic sites and concern is raised regarding their deliverability within the plan period.
- There is an over emphasis on development in the Southern Connections Corridor and Caerphilly Basin in particular.
- Brownfield sites should be released in preference to greenfield sites.
- The existing infrastructure cannot support further growth.

SUMMARY OF THE MAIN SEA / SA ISSUES RAISED

4.14 In total there were 4 respondents who sent comments relating to the SEA/SA, which were received during the statutory consultation period. For the purposes of this summary the comments relating to the SEA/SA are deemed to be those made in respect of the following:

1. SEA/SA Document 1: The Scoping Report (1 Representation)
2. SEA/SA Document 2: The Review of Relevant Plans, Programmes and Policies
3. SA/SEA Document 3: The Assessment of the Preferred and Alternative LDP Strategies (3 Representations).

4.15 In general terms the representations received raised the following issues:

- Greenfield release in Caerphilly Basin (Generally and Site Specific – Gwern-y-Domen)
- LDP Strategy is not the most sustainable of the alternatives
- Air quality and effect of diesel engine vehicles.

4.16 The SEA/SA process is iterative with the production of the Deposit Replacement LDP. At the deposit stage the SEA/SA represents a snapshot in time of the plan. Any changes to the plan will be required to be subject of further assessment although the Environment Report, which accompanies the Deposit Replacement LDP, will not be amended.

CANDIDATE SITES

4.17 In order to create and maintain a transparent plan preparation process, the Council also published the Candidate Site Register in tandem with the Preferred Strategy. The publication of the Register afforded residents and other stakeholders an opportunity to make comment on those sites of interest to them.

4.18 Unsurprisingly a considerable number of sites have received adverse comment from the public and the reasons given for their disapproval are noted. These points have been taken into account in the consideration of the site allocation selection process as an integral part of the preparation of the Deposit Replacement Caerphilly County Borough Local Development Plan up to 2031 (Deposit Replacement LDP). However it is important to note that public objection to a particular site is not a sufficient reason to rule sites out of the process. There has to be sound planning reasons for the selection or rejection of a particular site. In this context the sites have been assessed against a set of assessment criteria, which adhere to the requirements of Planning Policy Wales, e.g. the compatibility of the use at that location with surrounding land uses; the physical capacity of the site to accommodate the development, any environmental constraints (e.g. noise, ecology, flooding, contamination,); the infrastructure capacity of the area to sustain new development; the location of potential development sites and their accessibility to jobs, shops and services by modes other than the car, and the potential for improving such accessibility; the availability of previously developed land, etc.

Revisions to the Preferred Strategy

4.19 It is important to note that the plan preparation process does not require an amended Strategy to be published; rather this is contained within the Deposit Replacement LDP, that will be subject of public consultation further to consideration and approval of its content by Full Council.

DEPOSIT REPLACEMENT CAERPHILLY COUNTY BOROUGH LOCAL DEVELOPMENT PLAN UP TO 2031

4.20 In order to ensure that the Deposit Replacement LDP has had continuous stakeholder involvement throughout its preparation, a series of Stakeholder and Member Consultation Sessions have been held throughout 2015 and early 2016 as follows:

- The Future of Retail Planning in Caerphilly, 13th May 2015, Elected Members, Llancaiach Fawr Manor;
- Planning for Growth, 12th June 2015, Standing Conference, Llancaiach Fawr Manor;
- A Brighter Future for our Towns, 12th June 2015, Standing Conference, Llancaiach Fawr Manor;
- Proposed Housing Allocations, 15th to 19th June 2015, Elected Members, Pontllanfraith House;
- A Brighter Future for our Towns, Junior Forum, 24th June 2015, Llancaiach Fawr Manor;
- A Brighter Future for our Towns, Youth Forum, 16 July 2015, Penallta House;
- Draft Deposit Replacement LDP Proposals Map (Discussion Day), 24th October 2015, Elected Members, Tredomen Business and Technology Centre;
- Sessions with the Labour Group, Plaid Group and Independents, 26th and 27th October 2015;
- Draft Deposit Replacement LDP (Workshop session), 17th November 2015, Elected Members, Ty Penallta;
- Caerphilly Business Forum, 26th November 2015, Tredomen Innovation Centre;
- Sessions with the Labour Group, Plaid Group and Independents January 2016.

4.21 Issues raised by Elected Members arising from the sessions in June 2015 were reported to the LDP Focus Group in July and October 2015. Recommendations from the Group are contained in Appendix 2 and they are generally reflected in the Deposit Replacement LDP. Where possible any other concerns expressed by Members have been the subject of ongoing dialogue and reflected in the drafting of the Deposit Replacement LDP as far as is practically possible. However it is important to acknowledge that given the controversial nature of the process, it is not always possible to achieve a consensus on issues raised.

FORM AND CONTENT OF THE DEPOSIT PLAN

FORM

- 4.22 The Deposit Replacement LDP has been circulated to Members under cover separately, made available electronically and placed in the Members Library. In line with the adopted LDP it consist of the following:
- The **Written Statement**, which is made up of three parts, namely:
 - Section A The Development Strategy
 - Section B County-Wide Policies
 - Section C Area Specific Policies
 - **Appendices** to the Written Statement, providing supporting information to the main body of the text. These Appendices form part of the Deposit Replacement LDP, and have been referenced throughout the main document as appropriate.
 - The **Proposals Map** shows the geographical location and extent of the site-specific development and protection policies that are designated within the Deposit Replacement LDP.
 - The **Constraints Map** shows the geographical location and extent of constraints to development that are created by legislation outside the development plan process. For example it illustrates where Sites of Special Scientific Interest, Conservation Areas, and Flood Plains are located (Electronic only).

OVERVIEW OF CONTENT

- 4.23 The Preferred Strategy previously set out the broad location for planned growth in terms of employment, housing and retail development and identified the key pieces of strategic infrastructure necessary to support that planned growth. The Deposit Replacement LDP builds on this earlier work and is a full draft of the new plan incorporating the revised Development Strategy and the proposed detailed policies and land allocations to guide the development of the county borough up to 2031.
- 4.24 The Deposit Replacement LDP has taken into account: the pressure for development in different parts of the county borough; the availability of suitable sites in those area; the willingness and ability of the private sector to invest; the sensitivity of the environment; and has identified the basic transport and service infrastructure that is needed to support the level of growth proposed.
- 4.25 The Deposit Replacement LDP is based on:
- The functional analysis that has been undertaken of the county borough;
 - Identification of key trends from the existing and emerging evidence base;
 - Consideration of alternative population and household growth scenarios;
 - Consideration of different employment growth scenarios;
 - Feedback from the consultation with partner organisations and key stakeholders as an integral part of the plan preparation process;
 - Consideration of the cumulative impact of development on infrastructure;
 - Consideration of the issues raised through the annual monitoring of the Adopted Caerphilly County Borough Local Development Plan up to 2021;
 - Availability of land proposed for development;
 - Consideration of regional issues and cross boundary issues including neighbouring local planning authorities development strategies;
 - Consideration of the representations made at the Preferred Strategy Stage, both in support and in objection;
 - Consideration of the up to date evidence base; and
 - Outcome of the Sustainability Appraisal and Strategic Environmental Assessment.

- 4.26 An examination of the evidence clearly indicates that different parts of the County Borough require different levels of policy intervention. The Development Strategy therefore separates the County Borough into three Strategy Areas as follows:

THE HEADS OF THE VALLEYS REGENERATION AREA (HOVRA)

THE MID VALLEYS CORRIDOR (MVC)

THE SOUTHERN CONNECTIONS CORRIDOR (SCC) comprising Caerphilly Basin; and Lower Islwyn

KEY TOPIC AREAS

Population & Housing

- 4.27 The Deposit Replacement LDP allows for a moderate level of population and housing growth up to 2031, to retain people within the area and attract new people of working age to live and work in the county borough. This approach is considered appropriate as it would not be acceptable to plan for a declining, ageing population, as this would adversely impact on the ability of the area to sustain services, facilities and economic growth. The aim therefore is to increase the 2011 level of population from 178,800 people to 192,250 by 2031. The Deposit Replacement LDP therefore makes provision for the development of 12,400 new homes in the plan period.

Affordable Housing

- 4.28 One of the key issues for the Replacement Deposit LDP is that of securing affordable housing. The Council aims to ensure that everyone in the County Borough has access to a good quality home that meets their housing requirements and the provision of a choice of housing that is affordable to the local population is vital in achieving this. A shortfall of affordable housing is a significant issue facing residents in the County Borough. Indeed, the Local Housing Market Assessment (2015) indicates that there is a Borough-wide shortfall of 526 affordable units per annum.
- 4.29 The Deposit Replacement LDP proposes that there should be an affordable housing requirement of up to 30% in the Caerphilly Basin (excluding Aber Valley), 20% within the Mid Valleys Corridor and Risca and 10% in Lower Islwyn (excluding Risca). There is no target for the Heads of the Valleys Regeneration Area.
- 4.30 The target of at least 1,930 affordable dwellings reflects the number of units that it is expected can be delivered across the County Borough through the use of planning obligations on qualifying sites coming forward for development over the Plan period. The target of at least 1,930 dwellings delivered through the planning system forms part of a wider total of 3,000 affordable dwellings which it is estimated could be provided using all other delivery mechanisms (e.g. through social housing grant) in response to levels of need.

Housing for Older People

- 4.31 The lack of suitable housing for older people within the County Borough is also a matter of concern for the Deposit Replacement LDP as the mix of housing throughout the County Borough is unlikely to meet the needs of residents in future. This lack of suitable housing provision results in the under-occupation of the existing housing stock, to the detriment of the successful functioning and efficiency of the housing market.
- 4.32 The expected rise in overall demand for housing, which is driven by both population growth and the changing nature of households, which are shrinking and ageing, means that there is a need to ensure that there is an opportunity for people to down size to more suitable accommodation. This would in turn free up larger properties suitable for larger households e.g. families with children.
- 4.33 The Deposit Replacement LDP therefore proposes that all new housing sites of 25 or more dwellings will be required to make provision for 10% of dwellings to be housing suitable for

older people as an integral part of the mix of housing types. This could include the development of bungalows as well as other forms of housing such as single storey link homes or lifetime homes.

- 4.34 The key driver for this policy is to diversify the type of housing available in the private sector for older people. Given the objectives underpinning this policy, it will not be appropriate for social housing for older people provided through the affordable housing policy to contribute to the provision that is required under the Housing for older people policy. Where provision is required for older people as part of the affordable housing policy, The Deposit Replacement LDP proposes that this would be in addition to that required through the Housing for Older People Policy.

Areas of Significant Change

- 4.35 The Deposit Replacement LDP promotes new development, in particular housing and employment, throughout the county borough but targets significant new planned development to the Mid Valleys Corridor in particular the Strategic Site at Maesycwmmmer and the Southern Connections Corridor and to the South East of Caerphilly. Housing sites are identified in the Heads of the Valleys Regeneration Area and in Lower Islwyn but are scaled to reflect market activity and demand and physical constraints to development.

Natural Heritage

- 4.36 The plan strikes an appropriate balance between the need to protect the environment with the need to provide for sufficient land for social needs (i.e. housing, community, education and leisure facilities) and economic needs (i.e. provision of jobs through land released for economic development) over the plan period. In identifying appropriate urban expansion sites in both the MVC and SCC the level of potential harm to the natural heritage has been assessed, taking into account mitigation, compensatory and restoration measures.

Energy

- 4.37 The Deposit Replacement LDP recognises that coal resources are present in the HOVRA that are capable of future extraction. In order to ensure that coal resources capable of extraction by surface mining methods are not sterilised by new development, they are safeguarded in line with national policy and guidance. It is important to note that this does not indicate an acceptance of working in the future.
- 4.38 The Deposit Replacement LDP also encourages renewable energy schemes but recognises the inherent conflict between permitting such schemes, in particular wind turbines and solar farms, and the desire to protect areas of recognised environmental, cultural or landscape importance.

Transport

- 4.39 As a general principle, development is directed to locations that offer a choice of transportation. Particular importance is placed on ensuring that development both supports and where necessary contributes towards the development of a modern integrated sustainable transport system in the county borough. The Deposit Replacement LDP therefore promotes development proposals that: improve the connectivity of the area within the Cardiff Capital Region; increase the ability of people to travel to work by public transport (in particular rail); and alleviates problems on the strategic road network.
- 4.40 Whilst the transport strategy is very much focused on measures to encourage the greater use of the public transport system, there remain parts of the county borough that also require investment in the highway infrastructure, the Deposit Replacement LDP therefore recognises the need to address:

- The resilience of the Heads of the Valleys Regeneration Area to the impact of disruption caused by the closure of sections of the A469;
- A traffic pinch point on the main A472 strategic highway route between Blackwood, Maesycwmmmer and Ystrad Mynach; and
- Congestion and alleviate air quality in the Caerphilly Basin through specific improvements to the strategic highway network.

- 4.41 The Deposit Replacement LDP also builds on the success of the Ebbw Valley Line and safeguards land for the provision of a new station at Crumlin. The establishment of this station would benefit the main employment site at Oakdale Business Park making it more accessible by rail. There is also a pressing need to pursue the connection of the Ebbw Vale line to Newport. In addition as Ystrad Mynach is increasingly becoming a strategic hub for public services there is increasing pressure on the park and ride facilities. The Deposit Replacement LDP therefore identifies land for the provision of additional park & ride provision at both Ystrad Mynach and Llanbradach.
- 4.42 The Caerphilly / Machen / Newport rail line is safeguarded to enable it to be brought back into beneficial use in the future; and the Cwmbargoed to Dowlais freight line has been highlighted as having potential as a future passenger line.
- 4.43 The improved connectivity that will be delivered through these policy interventions and in particular: electrification of the Valleys Lines; capacity improvements throughout the network; and the provision of new passenger lines, will build on the successes achieved to date and contribute toward changing commuter patterns and behaviour.

Waste Management

- 4.44 Advances in technology and the introduction of new legislation, policies and practices mean that many modern waste management / resource recovery facilities on the outside, look no different to any other industrial building, and on the inside contain industrial de-manufacturing processes or energy generation activities, that are no different to many other modern industrial processes in terms of their operation or impact. The Deposit Replacement LDP therefore designates all allocated and protected Primary Industrial Sites as suitable, in principle, for in-building waste management facilities, in order to meet the identified need for a new facility over the plan period.

Economy

- 4.45 The plan recognises that the employment market is a dynamic and changing sector and that modern business wants easily developable, accessible, and usually prominent sites for their premises. A healthy property market needs to provide a mix of options, including land for speculative developments; design and build schemes; and freehold plots for owner-occupiers to self-build. The Deposit Replacement LDP therefore identifies an appropriate range and choice of sites for new build, and protects existing employment areas throughout the county borough (as appropriate), to encourage innovation and diversity in the employment sector.
- 4.46 The Principal Towns and Local Centres also make an important and significant contribution to the economic, social and cultural life of the area. They account for significant employment opportunities for local residents, provide accessible local services, and are a focus of community activity. Thriving and vibrant town centres are essential if the county borough is to achieve its ambition of building a strong and sustainable local economy. Retail, commercial, office and tourism development opportunities are therefore identified in order to broaden the range of uses in the town and local centres and thus increase footfall and economic activity.

Community Facilities

- 4.47 As the Deposit Replacement LDP is a corporate land use document, it also reflects the land use strategies of other service areas of the Council, in particular Public Services, Leisure and Education, and of other partners including the Health Board, Police, Fire and Ambulance

Service etc . In this context, the Deposit Replacement LDP includes proposals in the plan that reflect the land use requirements of these services where they have been identified to support planned development over the plan period. Note: Appendix 20 of the Deposit Replacement LDP provides clarity on the delivery of new and improved infrastructure over the plan period in terms of time scales, proposed funding and also any potential funding gaps.

Planning Obligations and Community Infrastructure Levy

- 4.48 New development has the potential to increase pressure on existing community infrastructure and facilities such as transportation networks, schools, lifelong learning facilities, open space and other facilities. The provision of adequate infrastructure and services are a prerequisite of development taking place, as it is crucial for the environmental, social and economic sustainability of the County Borough. Where appropriate, the Council will seek obligations to mitigate against the effect of development. In line with national guidance the Council will negotiate obligations where these are necessary to make the development acceptable in planning terms, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development. The Council will also require contributions to critical infrastructure through the Community Infrastructure Levy.

STRATEGIC ENVIRONMENTAL ASSESSMENT AND SUSTAINABILITY APPRAISAL

- 4.49 Part 2 of the Strategic Environmental Assessment / Sustainability Appraisal of the Deposit Replacement LDP is comprised of two documents, one that sets out the results of the Assessments of the detailed Deposit Replacement LDP (Document 4), and a second that undertakes the Habitats Regulations Assessment (Document 5). Both of these documents have been provided electronically to Members and are available in the Members' Library.
- 4.50 Document 4: The Assessment of the detailed Deposit Replacement LDP (The Environment Report) provides the background to identifying the detailed Assessment Tests, and the results of the SEA/SA tests on the Deposit Replacement LDP. This includes a reassessment of the Strategy against the Strategic Assessment Tests as well as the assessment of the detailed plan against the Detailed Assessment tests.
- 4.51 The EC Habitats Directive (92/43/EEC) requires that the impacts that the Deposit Replacement LDP may have on European designated sites of conservation importance need to be assessed and, where necessary, mitigated against or minimised. Document 5: The Habitats Regulations Assessment of the Deposit Replacement LDP (HRA) is a stand-alone assessment that does not, in itself form part of the SEA/SA. However the HRA process utilises much of the background information and work that has been undertaken on the SEA/SA and as such it is appropriate to include it within the SEA/SA umbrella of documents that have influenced the production of the Deposit Replacement LDP. The HRA influences the LDP in respect of its impact upon Natura 2000 sites in the same way as the SEA/SA does in respect of environmental considerations.

SUPPLEMENTARY PLANNING GUIDANCE

- 4.52 The Local Development Plan is the only document that the Council is statutorily required to produce as the framework of the land-use element of the planning system. However, the planning system is far more than a development management framework: it also has a major role in community regeneration, environmental improvement, setting quality standards, and encouraging development. The development plan is therefore designed to be part of a package of documents and strategies that support and strengthen each other.
- 4.53 Supplementary Planning Guidance (SPG) will be prepared and be the subject of appropriate public consultation as necessary. However, SPG does not form part of the development plan. Where appropriate cross-reference is made in the Deposit Replacement LDP to relevant SPG and this should be read in conjunction with the land-use policies and proposals so that advice and guidance is both clear and complete.

Next Stage - Statutory Six-Week Deposit Period

- 4.54 Subject to approval by full Council, the next stage in the plan preparation process is the 'Deposit' stage. Once approved, the Deposit Replacement LDP sets out the Council's proposed Replacement LDP and from this stage on, any changes to the Plan can only be made by the Independent Inspector who will examine the plan to ensure it is "sound".
- 4.55 It is acknowledged that the development of land is contentious, and it is therefore not surprising that the preparation of the Deposit Replacement LDP is complex, time consuming and often aspects of the plan are very controversial. Every effort has been made therefore to draft the policy and proposals contained in the Deposit Replacement LDP in consultation with stakeholders (including elected members). Wherever possible, stakeholders' views and members' views have been taken into account and comments received in respect of the Preferred Strategy consultation in 2015 have also informed its content.
- 4.56 The Deposit Replacement LDP **must** however reconcile the development needs of the population, in terms of employment, housing, education, leisure, and importantly infrastructure, with the wider environmental concerns for the conservation of the man made and natural environment. Change is therefore inevitable and development is essential, both in terms of meeting our basic need, but also in terms of stimulating the economy for the benefit of present and future generations. Where development has been proposed it has been the subject of a robust planning assessment and the relevant statutory consultees have been consulted in order to ensure that any environmental concerns can be addressed or mitigated.
- 4.57 It is important to recognise that the land use allocations, i.e the Special Landscape Areas, Visually Important Local Landscapes, Green Wedges, Sites of Importance for Nature Conservation, Settlement Boundaries, Employment, Housing, Leisure and Education allocations, combined with the proposed infrastructure improvements to support planned development, such as rail, road, cyclepaths proposals etc., all serve to deliver the Preferred Development Strategy that was agreed by Council in January 2015. It is acknowledged that an Elected Member may have an outstanding concern regarding an allocation within their ward, however in determining whether to approve the Deposit Replacement LDP for consultation purposes, Members are required **to consider the plan as a whole and not as a series of individual development sites**.
- 4.58 In terms of public involvement in the process, the Deposit Stage is the key stage in the plan preparation process. It is at this stage that members of the public can fully participate and make representations of support, or objection (or merely comment on), on the full set of policies and proposals for the County Borough. Moreover, it is at this stage that members of the public can ultimately indicate if they would wish to appear at the Examination in public, and outline their representations directly to the Independent Inspector. Elected Members can also make formal representations in respect of specific issues during the six week statutory consultation process in the same way as any other stakeholder can. Any representations made during the six week consultation will then be considered by the Inspector at Examination.
- 4.59 **To reiterate, once the Replacement Local Development Plan is placed on 'Deposit' the local planning authority should not make changes to it unless there are exceptional circumstances. Any changes to the plan are a matter for an Independent Inspector who will examine the plan to ensure that it is 'sound'**. (Note: A straightforward interpretation of 'sound' is that the plan is: 1) consistent with other plans, 2) appropriate for the area having regard to the evidence, and 3) is likely to be effective).
- 4.60 **Table B3 Statutory Deposit of Proposals'** of the Council Agreed Delivery Agreement indicated that we would place the Deposit Replacement LDP on Deposit from August 2015 to September 2015. As indicated previously this timetable has slipped and subject to Council approval it is intended to place the document on formal 'Deposit' on the 11th February 2016 for six weeks.

- 4.61 When the Deposit Replacement LDP is published for public inspection and comment the Council must advertise this, and notify those identified in the CIS (including statutory consultees) that it is available, allowing a statutory six weeks for representations to be made.
- 4.62 Those making representations to the Deposit Replacement LDP will be encouraged to do so on a standard form, setting out clearly any supporting representation or objection. If respondents find the standard form too difficult to complete, representations can also be made in writing by letter. Objectors will also be required to indicate what test(s) of soundness the plan is considered to fail, and the changes to the plan that are sought. This will inform the Inspector's consideration of soundness, including implications for the sustainability appraisal.

5. EQUALITIES IMPLICATIONS

- 5.1 The Deposit Replacement LDP has been the subject of an Equal Opportunities Impact Assessment.
- 5.2 A Welsh Language Impact Assessment has been undertaken as an integral part of the SEA/SA.
- 5.3 Consultation with the public on this document will be undertaken in line with the Council's Public Engagement Strategy and the Equalities Consultation and Monitoring Guidance, ensuring that all minority groups in the community have the opportunity to take part in the consultation exercise.

6. FINANCIAL IMPLICATIONS

- 6.1 Costs will be incurred over a 2-year period commensurate with the statutory procedures in preparing a Replacement Local Development Plan.

7. PERSONNEL IMPLICATIONS

- 7.1 None.

8. CONSULTATIONS

- 8.1 All comments received have been incorporated in this report.

9. RECOMMENDATIONS

- 9.1 To consider and note the representations made to the public consultation exercise undertaken in February and March 2015 in respect of the Draft Preferred Strategy for the Replacement Local Development Plan.
- 9.2 To consider the officer response and recommendation in respect of those representations contained in the Initial Consultation Report.
- 9.3 To note the next stage of the plan preparation process and to approve the revised timetable at Appendix 1.
- 9.4 To consider the recommendations of the LDP Focus Group contained in Appendix 2.
- 9.5 To approve the Deposit Replacement Caerphilly County Borough Local Development Plan up to 2031 as a basis for a statutory six-week public consultation exercise commencing in February 2016.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 In order to consider the representations made to the public consultation exercise undertaken in February and March 2015 in respect of the Draft Preferred Strategy for the Replacement Local Development Plan.
- 10.2 In order to consider the officer response and recommendation in respect of those representations contained in the Initial Consultation Report.
- 10.3 In order to inform Members of the views of Elected Ward Members and the LDP Focus Group in respect of specific Candidate and Other Sites.
- 10.4 In order to progress the preparation of the Replacement LDP in a timely manner, and progress to public consultation on the Deposit Replacement LDP in line with Development Plan Regulations and Guidance.

11. STATUTORY POWER

- 11.1 The Council as local planning authority has the statutory power to take these actions under the Town and Country Planning Acts and associated Regulations and Guidance.

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Background Papers:

Deposit Replacement Caerphilly County Borough Local Development Plan: Initial Consultation Report;
Deposit Replacement Caerphilly County Borough Local Development Plan up to 2031;
Document 4: The Assessment of the detailed Deposit Replacement LDP;
Document 5: The Habitats Regulations Assessment of the Deposit Replacement LDP (HRA)

Appendices:

Appendix 1: Revised Table A1: Summary of Timetable for Replacement LDP
Appendix 2: LDP Focus Group Meeting Notes (22 July 2014 and 22 October 2014)