

EXTRACT OF REVIEW REPORT – POSITION STATEMENT ON JOINT REVIEW

Caerphilly County Borough Council Local Development Plan – First Review

Caerphilly County Borough Council adopted its LDP in November 2010 and has since been monitoring the progress of the plan through its Annual Monitoring Report (AMR). As a consequence of the findings of the 2013 AMR, the Council resolved to trigger the first full review of the plan in line with LDP Regulation 41. There is no specific guidance on the review process, other than that contained in the Local Development Plan (Wales) Regulations 2005. Procedures for consultation and handling representations on LDP alterations are set out in LDP Wales, paras 4.46 – 4.50.

As part of the early stakeholder engagement for the review, a series of stakeholder events has occurred. As a consequence of WG involvement in this process Caerphilly County Borough Council has been advised that appropriate consideration should be given to preparing a Joint LDP with neighbouring authorities, particularly in light of the proposals contained within the Positive Planning Consultation Paper and Draft Planning Bill as outlined above.

Consideration has been given to the preparation of a joint review with Torfaen and Blaenau Gwent Councils reflecting the recommendations contained within the Williams Report. This indicates that Caerphilly, Blaenau Gwent and Torfaen could be merged into a single local planning authority.

At its meeting on the 29 September 2014, the Council resolved that Caerphilly County Borough Council does not support the idea of a merged authority covering Caerphilly, Blaenau Gwent and Torfaen.

The preparation of a joint LDP review does not however require the formal merger of the Councils in question to enable this work to be undertaken. There remains the potential for the three local planning authorities to work together on a joint review of their respective local development plans as follows:

- Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010;
- Blaenau Gwent County Borough Council Local Development Plan up to 2021 - Adopted November 2012;
- Torfaen County Borough Council Local Development Plan (to 2021) - Adopted December 2013.

Caerphilly LDP is required to commence review by no later than November 2014, Blaenau Gwent LDP is not due to be reviewed until November 2016, whilst Torfaen's LDP is not required to commence review until December 2017.

Caerphilly County Borough Council Position Statement

There is a pressing need to continue work on the review of the Caerphilly County Borough Local Development Plan up to 2021 (Adopted November 2010) for the reasons outlined below:

- LDP Regulation 41 states that an LPA must commence a full review of its LDP every four years from the date of its initial adoption, in accordance with regulation 3(1). In Caerphilly this would be November 2014 at the latest.
- The Caerphilly County Borough Council resolved to progress a full review of the LDP as a consequence of the findings of the 2013 AMR, therefore the 2014 review was triggered a year early. The Council considered this was necessary as:
 - There is an urgent need to increase the housing land supply within Caerphilly County Borough as the 2013 HLAS indicates that there is only a 2.9 years housing land supply. This supply issue should be properly addressed through a review of the LDP.

- Land needs to be released through the review to accommodate the 21st Century School Rationalisation Process.
- The third Annual Monitoring Report is currently being prepared for submission to WG in October 2014
- The end date of the Adopted LDP is 2021 whilst the end date for the revised LDP will be 2031.
- The Planning Bill will introduce expiry dates for development plans, thus the Caerphilly LDP will expire in 2021 if a review is not undertaken promptly.
- The Delivery Agreement for the first review of the LDP has been agreed by WG.
- Considerable work has already been undertaken on the first review of the LDP including extensive work with stakeholders.
- Any delay in the review process would undermine the plan led system in Caerphilly and indeed Wales and could inadvertently result in stakeholders disengaging with the process.
- Any delay in the review process would make Caerphilly County Borough vulnerable to planning by appeal.
- There is an indicative adoption date of 2017 for the revised plan, which would precede any proposed merger.
- The timescale for the proposed mergers have been extended from the original proposal of 2017 to around 2020.
- There is the opportunity for councils to enter into voluntary mergers, which allow a more advanced timescale, but this has yet to be agreed by any authorities. The benefits of any voluntary mergers ahead of the proposed timescales are unclear.
- On the 29 September 2014 Caerphilly County Borough Council resolved that Caerphilly County Borough Council does not support the idea of a merged authority covering Caerphilly, Blaenau Gwent and Torfaen.
- In setting out a preference in relation to its options, WG accept the Williams Commission recommendation that the boundaries of merged Local Authorities should align with health board and police force boundaries.
- Aneurin Bevan Health Board and the Gwent Police Authority both incorporate Caerphilly, Torfaen, Blaenau Gwent, Newport and Monmouthshire
- There is considerable uncertainty of the configuration of any future planning authority.
- Unlike Blaenau Gwent and Torfaen, the south of Caerphilly County Borough is under extreme housing pressure as a consequence of its proximity to Cardiff and there is a need to release land to ease this pressure through a review of the plan.
- There is an urgent need to review the Caerphilly County Borough Local Development Plan.

Blaenau Gwent County Borough Council Position Statement

- The Blaenau Gwent County Borough Council Local Development Plan was adopted in November 2012.
- The first Annual Monitoring Report was submitted to WG in October 2014 stating that there was no need to review the Plan.
- To accord with LDP Regulation 41 Blaenau Gwent needs to undertake a full review in November 2016.
- The Planning Bill will introduce expiry dates for development plans, thus the Blaenau Gwent LDP will expire in 2021 if a review is not completed by this date.
- The 2013 JHLAS indicates that there is only a 2.9 years housing land supply. This supply issue is not linked to lack of land in Blaenau Gwent but to the lower than expected completion figures experienced between 2006-2013. This has resulted in an increase in the number of

houses required to be built in the next 5 years to unattainable figures. General viability issues in the area means that sites are marginal and developers are not prepared to take risks in the current economic climate.

- There is no pressure from developers to build in the area.
- Due to the lack of development pressure the area is not vulnerable to planning by appeal.
- The 21st Century School Rationalisation Process was addressed in the LDP.
- Caerphilly County Borough Council made public its intention to stand alone and not merge with Blaenau Gwent and Torfaen as proposed by the Williams Report.
- Blaenau Gwent and Torfaen have decided to explore the potential for a voluntary merger

Torfaen County borough Council Position Statement

The Torfaen Local Development Plan was adopted on the 3rd December 2013. Torfaen are currently looking to deliver this plan, which lasts until 2021. Considerable work is being devoted to enable the delivery of the Plan, especially housing sites and employment creation / safeguarding; and there are no staff or financial resources to embark on a plan review at this time.

- The Torfaen County Borough Council Local Development Plan was adopted in December 2013.
- The first Annual Monitoring Report is due to be submitted to WG in October 2015.
- To accord with LDP Regulation 41 Torfaen needs to undertake a full review in December 2017.
- The Planning Bill will introduce expiry dates for development plans, if implemented the Torfaen LDP will expire in 2021 if a review is not completed by this date.
- Caerphilly County Borough Council made public its intention to stand alone and not merge with Blaenau Gwent and Torfaen as proposed by the Williams Report.
- Blaenau Gwent and Torfaen have decided to explore the potential for a voluntary merger.

Torfaen's first Annual Monitoring Report is not due until October 2015 and in advance of that I would consider any review of the Torfaen LDP to be premature and would create uncertainty in the delivery of the Torfaen LDP.

Planning Policy Wales states at 2.1.6 "LDP strategies and policies must be kept up to date so as to support the objectives of the plan-led system to provide certainty, rational and consistent decisions and a reduction in the number of misconceived planning applications and appeals. Local planning authorities are required to make an annual monitoring report on their LDP. The annual monitoring report will identify any policy that is not being implemented, together with the steps the authority intends to take to secure implementation. Annual monitoring and regular review are mandatory." In addition Welsh Government Consultation Document - Annex 1.1 Draft Planning Policy Wales - Chapter 2 Local Development Plans issued on 1st October 2014 states:

"2.5.16 The timing and frequency of **plan review**, and the consequential need for a **Review Report**, will depend upon the findings of the AMR and on local circumstances. To ensure that the LDP is kept up to date and the plan period remains strategic, an authority should commence a more thorough full review of its LDP at least once every 4 years, potentially sooner if suggested by the findings of the AMRs (LDP Regulation 41)."

There does not appear to be any support for an early review mechanism in advance of an AMR in the existing or new guidance from Welsh Government.

In addition to this as already stated, in view of the state of Local Government finances, there is unlikely to be staff resources to switch from plan delivery (a key objective of Welsh Government) to devote to plan review in the immediate future.

The Torfaen CBC Chief Executive has stated "As you will know; the map that Williams has suggested is that Torfaen, Blaenau Gwent and Caerphilly should merge to form one authority. In responding to

the Williams Commission our Cabinet have stated their position as being that a merger between Torfaen, Blaenau Gwent and Monmouthshire would be their preferred option. Caerphilly's Cabinet have now decided that their preferred option is to stand alone, and Newport has done similarly. Monmouthshire has not made any statement at present." (Alison Ward 06.10.14)

Therefore as well as being premature and potentially creating uncertainty in plan delivery there is in addition no political mandate to consider joint arrangements between Torfaen and Caerphilly at this time.

The Torfaen LDP was developed in full cognisance of the position of Caerphilly CBC and their LDP and Torfaen CBC has engaged and assisted in the review work so far conducted. Torfaen will continue to respond to any further requests and assist where required and provide support and information to the review process.

Strategic Development Plans

Welsh Government consider that the strategic elements of LDPs, such as housing, employment, transport, gypsy and traveller provision, minerals and waste, should be elevated for discussion and conclusion in a Strategic Development Plan (SDP) for the region. This it is argued will result in a consistent, effective and efficient approach, reflecting strategic priorities, with key decisions taken once rather than numerous times. WG also considers that SDPs should only be prepared in areas where there are matters of greater than local significance and therefore identify the focus for three SDPs as follows: Cardiff; Swansea; and the A55 Corridor.

Although WG propose to set the geographical focus for SDPs, they do not specify the precise physical extent of the area to be covered by the SDP. It is suggested that a nominated lead local authority will be required to work collaboratively with other local authorities within the area of focus to identify the boundary of the plan area based on robust evidence which must be submitted for approval by Welsh Ministers.

Within a Caerphilly context it is assumed that the SDP area would be SE Wales and would cover the Cardiff Capital Region. This would reflect the collaborative work that has already been undertaken to date, by the 10 LPAs in the region through the SE Wales Regional Board, South East Wales Directors of Environment and Regeneration Group (SEWDERG) and South East Wales Strategic Planning Group (SEWSPG).

Alternative governance arrangements for such an approach have been considered and the WG have identified a preferred option that gives the responsibility for preparing an SDP with representatives from LPAs nominated to a 'Panel' which has the relevant statutory development plan making powers, including responsibility for approval of the Plan. Such powers will provide the 'Panel' with decision making capability, avoiding the need to refer back to parent authorities. This is considered by WG to be important to avoid delay and frustration of the process and instil responsibility and accountability. As a general approach this would seem sensible and is in conformity with the way in which the Scottish Regional Model works.

In future LDPs will be required to be in conformity with the relevant SDP. Where an SDP covers an LDP area, the LDP should be rationalised so that it only focuses on local matters, particularly site specific allocations, in accordance with the scale and location of growth set out in the SDP. Issues such as the overall level of housing, employment, retail provision and strategic sites will have already been addressed in the SDP and do not need to be repeated. This will result in a much slimmer LDP in both scope and content and should reduce the cost and time associated with plan preparation and review.

The current review of the LDP will precede the preparation of the SDP for SE Wales and is likely to be adopted by 2017. It is envisaged that work on the SDP will commence in earnest in 2015 further to the Planning Bill receiving Royal Assent.

Regional Evidence Base

In December 2011, South East Wales Regional Partnership Board comprising the Leaders of the ten local authorities asked the Directors of Environment and Regeneration to establish a task and finish group to research, critically evaluate and advise on the essential requirements to establish its vision for **South East Wales: a thriving region, visible internationally and distinctively Welsh.**

As an integral part of this work the South East Wales Directors of Environment and Regeneration Group (SEWDERG) have sought to co-ordinate and build upon existing work in order to ensure that the best use is made of finite resources. In many ways, South East Wales is already operating as a city region, albeit not formally constituted as such. There is a high degree of interdependence and cooperation between the local authorities and a proven track record of working closely together through regional working groups such as South East Wales Transport Alliance (Sewta - now abolished), South East Wales Regional Housing Forum (Sewrhf), South East Wales Strategic Planning Group (Sewspg) and South East Wales Economic Forum (Sewef- Now abolished).

The publication of the SE Wales Regional Strategic Framework entitled *Delivering a Future with Prosperity*, represents a critical stage in regional working, and as well as taking forward the collaborative agenda of the local authorities, it sets out priorities to complement and support key Welsh Government policies and initiatives, for example in relation to tackling poverty, implementing regeneration initiatives, securing economic development, effective planning, affordable housing, efficient and accessible transport and excellent connectivity in its widest sense.

There already exists a significant body of evidence for regional planning within SE Wales, as considerable work has already been undertaken to inform existing and emerging Local Development Plans. However, the staggered nature of the delivery of LDPs means that they have been produced across the region using a variety of different methodologies and data sets.

With the support of Welsh Government Planning Improvement Fund, Sewspg has progressed work to gather and collate the existing key evidence for the region. This evidence base serves to:

- Aid a common understanding of the evidence base within the region;
- Highlights existing gaps and/or deficiencies in the evidence base in order to inform the future development of a regional planning framework;
- Facilitate a professional dialogue regarding the most appropriate methodologies to be used in plan preparation in the future.

The report collates the evidence into distinct sections by Topic Area as follows:

Section A: The Development Strategies underpinning existing LDPs and thus those areas targeted for growth or consolidation;

Section B: Population and Household Projections;

Section C: Housing Land Supply;

Section D: Gypsy and Traveller needs and provision;

Section E: Employment Land Supply; and

Section F: Retail Hierarchy

In addition, a single plan for the region was prepared that collates all of the authorities Local Development Plans Proposals Maps for the region into one.

In South-East Wales, there is a general consensus about what the 'region' is and the geographical extent of the area that requires a strategic regional approach to planning is largely agreed. The Cardiff Capital Region consists of ten local authority areas that formerly comprised the counties of Mid and South Glamorgan and Gwent.

The area has a strong degree of geographical unity characterised by river valleys that flow into the Severn Estuary from the upland coalfield area to the coastal towns and cities. At the 2011 census the region contained a population of 1.48 million – nearly half the population of Wales.

The South East Wales Regional Board comprising the Leaders and Chief Executives of all of the 10 LPAs in SE Wales is already in existence and is now meeting on a regular basis with the Cardiff Capital Region Board.

There is a genuine desire to capitalise on the opportunities afforded by the Cardiff Capital Region and resources associated with progressing this work need to be identified by LPAs.

Conclusion

There is an urgent need for the Caerphilly County Borough Local Development Plan to be reviewed and it would not be appropriate to delay this process given the considerable uncertainties in respect of any joint working arrangements.

In setting out a preference in relation to its options, WG accept the Williams Commission recommendation that the boundaries of merged Local Authorities should align with health board and police force boundaries. Aneurin Bevan Health Board and the Gwent Police Authority both incorporate Caerphilly, Torfaen, Blaenau Gwent, Newport and Monmouthshire.

There is considerable uncertainty of the configuration of any future planning authority as a result of any voluntary or forced local government reorganisation.

Conversely, within South-East Wales, there is a general consensus about what the 'region' is and the geographical extent of the area that requires a strategic regional approach to planning is largely agreed. The Cardiff Capital Region consists of ten local authority areas that formerly comprised the counties of Mid and South Glamorgan and Gwent.

Having regard therefore to the emerging planning reform agenda, it would be more productive to divert finite resources to aid the preparation of a joint plan to cover the 10 SE Wales local authorities and commence work on a comprehensive evidence base to underpin a Strategic Development Plan in line with the emerging Planning Bill.

The second review of the Caerphilly County Borough Local Development Plan will then be undertaken within a context of certainty in respect of those matters that will be addressed through the Strategic Development Plan and those that continue to be addressed through the Local Development Plan. Moreover there will also be considerably more certainty concerning the spatial area of any newly configured local planning authorities.

There is no robust planning or business case for the preparation of a Joint Review of the three LDPs covering Caerphilly, Blaenau Gwent and Torfaen at this time