

# **BRIDGEND COUNTY BOROUGH COUNCIL**

## **REPORT TO COUNCIL**

**20 JUNE 2018**

### **REPORT OF THE CORPORATE DIRECTOR – COMMUNITIES**

#### **BRIDGEND REPLACEMENT LOCAL DEVELOPMENT PLAN (LDP) DELIVERY AGREEMENT**

##### **1. Purpose of the Report**

- 1.1 To report to Council the outcome of the consultation exercise on the Bridgend Replacement LDP Delivery Agreement and seek Council's approval to submit the final Delivery Agreement (attached at Appendix 1) (in conjunction with the Bridgend Local Development Plan (2013) Review Report) to Welsh Government before the end of June 2018.
- 1.2 The Delivery Agreement sets out how and when the local community and other stakeholders can contribute to the preparation of the Replacement Plan and a timetable for its preparation. It is proposed that the Replacement LDP will cover a plan period up to 2033.

##### **2. Connection to Corporate Improvement Objectives/Other Corporate Priorities**

- 2.1 The Bridgend Replacement Local Development Plan (LDP) is a high level strategy document which must be prepared by the Council. The LDP sets out in land-use terms the priorities and objectives of the Corporate Plan. The future Replacement LDP will be required to express in land-use terms the wellbeing objectives and priorities of the Bridgend Public Services Board's Well-being Plan.

##### **3. Introduction and Background**

- 3.1 Members will recall that a report was presented to Council on the 28<sup>th</sup> February 2018 outlining the letter and request from the Welsh Government Cabinet Secretary for Energy, Planning and Rural Affairs for Local Planning Authorities (LPAs) to give positive consideration to producing joint LDPs until such time no individual LPA was allowed to progress with their own plan. Council resolved to advise the Cabinet Secretary that given the urgent need for Bridgend to review its Plan that it be allowed to do so unilaterally.
- 3.2 The Cabinet Secretary has now responded, and has allowed Bridgend to proceed with its review, subject to receiving receipt of a Delivery Agreement associated with the Replacement Plan within 3 months of receipt of her letter. The Delivery Agreement also needs to demonstrate that plan preparation can be achieved within 3½ years from the formal commencement of the processes, with a single additional slippage of 3 months.
- 3.3 The preparation of the Delivery Agreement and the overall timetable for the preparation of the replacement LDP is therefore set within this overall time framework.

### **Replacement LDP Draft Delivery Agreement - Public Consultation 3**

3.4 Members will also recall that a report was presented to Council on the 25<sup>th</sup> April 2018, which outlined the Cabinet Secretary's response, which allowed Bridgend to proceed with its LDP subject to a very strict deadline requiring submission of the Delivery Agreement before the end of June 2018. The report also sought authorisation to undertake targeted consultation on the draft Replacement Bridgend LDP Delivery Agreement between 30<sup>th</sup> April 2018 and 25<sup>th</sup> May 2018. The Consultation on the draft Delivery Agreement was undertaken in conjunction with the draft Bridgend Local Development Plan (2013) Review Report. It is proposed to submit both the final Delivery Agreement and Review Report to Welsh Government before the end of June 2018.

3.5 The consultation was advertised in the following ways:

- The consultation documents were available for inspection at the Civic Offices, Angel Street;
- Information on the consultation was placed on the Council's website; and
- E-mails and letters were sent to approximately 190 consultees including Community Councils, planning consultants, house builders, housing associations and other relevant external organisations with details on how to respond.

3.6 By the end of the consultation period 8 external organisations had submitted comments on the draft Delivery Agreement. In response, the Council has produced a Consultation Report which is included as Appendix 3 in the final Delivery Agreement that provides the Council's response to the representations received. Copies of the full representations can be viewed by Members at the Planning Department.

The main changes to the Delivery Agreement recommended by Officers include:

- Updates to the list of Consultation Bodies (attached as Appendix 1 in the Delivery Agreement):
  - It was considered prudent to include all the LPAs in the Cardiff Capital Region rather than just the neighbouring LPAs (Vale of Glamorgan, RCT and Neath Port Talbot) to reflect the importance of collaborative / regional working and Strategic Development Plan preparation.
  - Bridgend Local Health and Bridgend Partnership Board have been deleted as both have been replaced by the Public Service Board.
  - Action on hearing loss has been replaced by RNI Deaf & Hard of Hearing People.
  - The Commission for Racial Equality, Disability Rights Commission and Disability Rights Commission have been replaced by The Equality and Human Rights Commission.
  - Fields in Trust – replaces National Playing Fields Association Wales.
  - Royal National Institute for the Deaf and Hard of Hearing People has been replaced by 'Action on Hearing Loss'.
  - Wales Council for the Disabled has been replaced by Disability Wales.
- An amendment to the timetable (attached at Appendix 2) to the Delivery Agreement) to reflect that Sustainability Appraisal (SA) scoping should be undertaken before substantive LDP proposals are publicly consulted on. All sites submitted in response to a future 'call for sites' will need to be subject to

SA in due course, so it would be best to define the LDP SA framework, methodology and information requirements through the SA Scoping Report prior to issuing the call for sites (and any associated site pro-formas). This should help to ensure that site promoters submit sufficient sustainability and environmental information to enable the SA to be undertaken efficiently.

- Paragraph 1.6.2 has been amended to show a degree of linkage between the SA (SEA), the Bridgend Well-being Plan (in accordance with the Well-Being of Future Generations (Wales) Act and Habitats Regulations Assessment (HRA).
- Paragraph 1.6.3 has been expanded to reference the statutory requirement to undertake SEA screening.
- Paragraph 1.6.3 the second and third bullet-points have been combined into a single bullet for clarity purposes.
- Paragraph 1.6.3 the final bullet point has been amended to make clear that the SA Adoption Statement will be published after the adoption of the replacement LDP.

#### 4. Current Situation

4.1 The draft Delivery Agreement consists of 2 parts:-

- A timetable for preparation of the Replacement LDP, and
- A Community Involvement Scheme.

4.2 The timetable sets out the key dates including statutory consultation periods, for each of the different stages of Plan preparation and publication. It also includes key stages for the Sustainability Appraisal, which is an iterative process undertaken as an integral part of the Plan preparation process.

KEY STAGE		TIMESCALE	
DEFINITIVE		FROM	TO
<b>STAGE 1</b>	<b>Update Evidence Base &amp; SA/SEA Baseline Framework &amp; Assessments</b>	April 2018	July 2020
<b>STAGE 2</b>	<b>Delivery Agreement</b> <ul style="list-style-type: none"> <li>• Submission to Welsh Government – June 2018</li> <li>• Response to LPA to be received within 4 weeks</li> </ul>	April 2018	July 2018
<b>STAGE 3</b>	<b>Pre-Deposit Participation Consultation</b> <ul style="list-style-type: none"> <li>• 6 week statutory consultation</li> </ul>	July 2018	June 2020

<b>STAGE 4</b>	<b>Deposit LDP</b> • 6 week statutory consultation	July 2020	December 2020
<b>INDICATIVE</b>		<b>From</b>	<b>To</b>
<b>STAGE 5</b>	Submission	Winter 2021 (January)	-
<b>STAGE 6</b>	Examination	Spring 2021 (March)	Spring 2021 (April)
<b>STAGE 7</b>	Inspectors Report & Adoption	Summer 2021 (June)	Autumn 2021 (July)
<b>STAGE 8</b>	Adoption	Summer / Autumn 2021 (August / September 2021)	

- 4.3 The timetable of Plan preparation has Definitive and Indicative stages. Definitive stages are up to the Deposit of the Plan and is under the control of the Council. The Council has less control over the progress of the Plan after the statutory Deposit stage, as subsequent stages associated with Examination, Receipt of the Inspector's Report and Adoption is more dependent on external factors from Welsh Government and the Planning Inspectorate (PINS). As such these stages are indicative only.
- 4.4 The Community Involvement Scheme outlines the LPAs principles of community engagement, its approach in relation to who, how and when it intends to engage with the community and stakeholders; how it will respond to representations and how these representations will inform later stages of plan preparation.
- 4.5 The Delivery Agreement also sets out the resources that will be required to prepare the Replacement LDP together with a Risk Assessment identifying areas of uncertainty that may impact on the timetable for Plan preparation and mitigation measures required to keep the Plan on track.
- 4.6 The Delivery Agreement must be approved by Welsh Government and they have 1 month to consider and agree its contents or notify the LPA that it requires more time to consider the document.
- 4.7 Subsequent to its agreement by Welsh Government the Delivery Agreement will be published, with the Replacement LDP prepared in accordance with its contents.

## **5. Effect Upon Policy Framework and Procedure Rules**

- 5.1 The Planning and Compulsory Purchase Act 2004 and regulations of the Town and Country Planning (Local Development Plan) (Wales Regulations 2005) requires that a Local Planning Authority must commence a full Review of its LDP every 4 years.
- 5.2 The LDP Manual (2005) states that for the preparation of an LDP Revision, a revised Delivery Agreement is necessary, with the LPA undertaking engagement and/or consultation as it considers appropriate.

## **6. Equality Impact Assessment**

- 6.1 There are no direct implications associated with this report. However the policies contained within any Replacement LDP will require an equalities impact assessment to be carried out.

## **7. Wellbeing of Future Generations (Wales) Act 2015**

- 7.1 The Replacement LDP will be prepared in accordance with the 7 Wellbeing goals and the 5 ways of working as identified in the Act.

## **8. Financial Implications**

- 8.1 The cost of the LDP Review will be met from the Development Planning budget and carried out by development planning staff with expert advice and evidence procured from consultants and through collaboration with neighbouring authorities as required. The resources required to prepare the replacement LDP are set out in detail in section 2.2.4 in the Delivery Agreement attached at Appendix 1.

## **9. Recommendations**

- 9.1 That Council approve the final Delivery Agreement for the Replacement LDP and authorise the Group Manager Development, Communities Directorate to submit the final Delivery Agreement (attached at Appendix 1) (in conjunction with the Bridgend LDP (2013) Review Report (see separate item)) to Welsh Government before the end of June 2018; and
- 9.2 That Council give delegated authority to the Group Manager Development, Communities Directorate to make any factual corrections or minor amendments to the Delivery Agreement as considered necessary.

**Mark Shephard**  
**Corporate Director - Communities**  
**20<sup>th</sup> JUNE 2018**

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## **Background documents**

NA

