

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO DEVELOPMENT CONTROL COMMITTEE

COMMITTEE DATE 29 OCTOBER 2020

REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

REPLACEMENT LOCAL DEVELOPMENT PLAN UPDATE

1. Purpose of report

- 1.1 The purpose of this report is to update the Development Control Committee on the Replacement Local Development Plan.

2. Connection to corporate well-being 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 Local Development Plan sets out, in land-use terms, the priorities and objectives of the Corporate Plan.

3. Background & Current Situation

- 3.1 The Minister for Housing and Local Government wrote to all Local Planning Authorities on 24 September 2020 regarding the end date of Local Development Plans (LDPs) and the associated implications for rational and consistent decision making at the local level. The Minister confirmed that LDPs adopted prior to 4 January 2016 will remain extant and the basis for determining Planning applications until replaced by a further LDP.
- 3.2 The current Bridgend Local Development Plan (LDP) was adopted by Bridgend County Borough Council on 18 September 2013 and sets out the Council's objectives for the development and use of land in Bridgend County Borough over the 15 year plan period 2006 to 2021 and its policies to implement them.
- 3.3 An up-to-date LDP is an essential part of a plan-led Planning system in Wales. The Council is statutorily required (under Section 69 of the Planning and Compulsory Purchase Act 2004) to undertake a full review of the adopted LDP at intervals not longer than every 4 years from the date of adoption. As such, a full review of the adopted LDP was triggered in September 2017.
- 3.4 The reasons for review are detailed in the LDP Review Report which was reported to Council on 20 June 2018. Essentially, the existing LDP strategy has been broadly successful delivering many significant benefits for our communities. Most of the housing sites and associated infrastructure allocated in the existing LDP have been delivered on brownfield land with the exceptions of a few challenging brownfield sites

that have stalled due to a combination of viability issues and in some cases, land ownership issues however, a number of key housing provision policy targets are not being met which indicates that these policies are not functioning as intended.

- 3.5 LDPs also have to be based on robust evidence to ensure that critical land-use issues are identified and properly addressed. Some of the evidence base studies that underpin our existing LDP policies are out-of-date and need to be updated and/or replaced in order to fully understand the land-use requirements of the County Borough up to 2033. **The material weight attached to the existing LDP and its evidence base will progressively diminish from 2021 onwards as the contextual local situation evolves thereby placing the Council in an increasingly tenuous position and open to challenge from the development industry.** Similar circumstances in other Local Authorities (RCT and Caerphilly) have recently resulted in certain sites being granted Planning permission at appeal despite being out of accord with the extant Development Plan.
- 3.6 **Therefore, whilst the Minister's letter does confirm that the existing LDP will remain the basis for determining Planning applications until it is replaced, this factor alone does not override the urgent need to address the shortfall in the County Borough's housing land supply and to refresh the evidence base. The existing LDP still needs to be reconsidered and replaced if it is to deliver future housing requirements for the County Borough up to 2033.** It is therefore imperative that the Local Planning Authority continues to progress with the statutory review of the LDP which will address the shortfall in the housing land supply, facilitate the identification/allocation of additional housing land and enable incorporation of other contextual policy changes.
- 3.7 **Fundamentally, the Replacement LDP will avoid 'planning by appeal' and ad hoc development coming forward outside the development plan system and not in accordance with the Plan's strategy.** This will strengthen the Council's framework for determining Planning applications and provide enhanced certainty to communities in this respect. Indeed, the Council is in a good position having already made considerable progress in preparing the Replacement LDP. The latest population and household projections have been duly considered and a Local Housing Market Assessment, Infrastructure Delivery Plan and Employment Study are being produced. Consideration has also been given to the policy aspirations linked to the Cardiff Capital Region City Deal, together with wider contextual matters and other evidence based studies.
- 3.8 Consultation on the Deposit Plan is due to commence in early 2021 following conclusion of detailed technical scrutiny of candidate sites proposed for development. The Replacement LDP will be accompanied by a revised housing trajectory which will contain robust information on the timing and phasing of proposed land bank sites and allocations. As well as delivering new homes to meet the needs of newly forming households, the LDP will also provide the scale of growth needed to secure investment in infrastructure, facilities and additional benefits for local communities including recreation provision, employment opportunities and affordable housing. The

planned increase in housing supply will also act as a key driver of economic growth across Bridgend and the wider region. It is of paramount importance that progress on the Replacement LDP continues at pace in order to ensure that the County Borough can continue to transform into an interrelated network of safe, healthy and inclusive communities that connect more widely with the region to incite sustainable economic growth.

3.9 The Welsh Government has advised that it is of paramount importance that progress on the Replacement LDP continues at pace in order to ensure that the County Borough has an up-to-date Development Plan:

- for assessing Planning applications and preventing speculative Planning applications (i.e. avoiding 'planning by appeal');
- to ensure sustainable economic growth and assist in the post Covid recovery; and
- to ensure delivery of affordable housing and critical new infrastructure.

4. Effect upon policy framework and procedure rules

4.1 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. Equality Impact Assessment

5.1 There are no direct implications associated with this report. The RTS has been developed through a series of consultation events and processes which was open to anyone with an interest.

6. Well-being of Future Generations (Wales) Act 2015 implications

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

7. Financial implications

7.1 None.

8. Recommendation(s)

8.1.1 That Development Control Committee note the contents of this report that details Welsh Government's advice that it is of paramount importance that progress on the

Replacement LDP continues at pace in order to ensure that the County Borough has an up-to-date Development Plan:

- for assessing Planning applications and preventing speculative Planning applications (i.e. avoiding 'planning by appeal');
- to ensure sustainable economic growth and assist in the post Covid recovery; and
- to ensure delivery of affordable housing and critical new infrastructure.

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Background documents:

None.