

Meeting of:	TOWN AND COMMUNITY COUNCIL FORUM
Date of Meeting:	11 MARCH 2024
Report Title:	UPDATE OF THE REPLACEMENT LOCAL DEVELOPMENT PLAN 2018-2033
Report Owner / Corporate Director:	JANINE NIGHTINGALE, CORPORATE DIRECTOR - COMMUNITIES
Responsible Officer:	RICHARD MATTHAMS, STRATEGIC PLANNING AND TRANSPORTATION MANAGER
Policy Framework and Procedure Rules:	There is no impact on the policy framework or procedure rules.
Executive Summary:	The purpose of this report is to provide an update of the Replacement Local Development Plan 2018-2033 (RLDP) following Examination in Public (EIP) and receipt of the Inspector's Report which details recommended changes to ensure the RLDP is sound, while meeting legal and statutory requirements.

1. Purpose of Report

- 1.1 The purpose of this report is to provide an update of the Replacement Local Development Plan 2018-2033 (**RLDP**) following Examination in Public (**EIP**) and receipt of the Inspector's Report which details recommended changes to ensure the RLDP is sound, while meeting legal and statutory requirements.

2. Background

- 2.1 An up-to-date Local Development Plan (**LDP**) is an essential part of a plan-led planning system in Wales. It sets the framework to ensure that the planning system contributes towards the delivery of sustainable development in a co-ordinated manner, enabling a wider, problem-solving outlook than would be possible by dealing with local issues in isolation. Without an up-to-date LDP, it would become progressively difficult for the Council to focus on integrating and addressing multiple land use concerns and the local planning process would become fragmented, un-coordinated and reactive.
- 2.2 The Local Planning Authority (**LPA**) 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 no longer than every 4 years from the date of adoption. As

such, a review of the existing adopted LDP (2006-2021) was triggered and a Review Report was published in 2018. That Review Report recognised an urgent need to address the shortfall in the housing land supply through the identification of additional housing sites, whilst reviewing other significant contextual changes in circumstances and policy at a national, regional and local level.

2.3 Over the course of its extensive preparation, the RLDP has progressed through the following key stages:

- Delivery Agreement and Community Involvement Scheme (CIS) (April - June 2018)
- Call for Candidate Sites (September – November 2018)
- Pre-Deposit Participation (January – July 2019)
- Pre-Deposit (Preferred Strategy) Consultation (September – November 2019)
- Deposit Consultation (June – July 2021)

2.4 Following completion of these key stages, a resolution was made to submit the Replacement LDP to Welsh Government and the Planning Inspectorate for independent examination. This was to determine whether the Plan satisfied the procedural tests and could be considered sound in accordance with the Tests of Soundness. A rigorous and robust public examination process then commenced, with a series of topic-based public hearing sessions taking place from 28th February 2023 to 29th March 2023. **The appointed Inspector duly considered all representations made up until and during the hearing sessions.** In response to the matters and issues raised by the Inspector during the hearing sessions, the LPA proposed a series of Matters Arising Changes (**MACs**) to the Plan. These changes were deemed necessary to make the Plan sound. The MAC Schedule was subject to public consultation from 31st July 2023 until 11th September 2023, following which a MAC Consultation Report was published. That report listed the representations made about each of the proposed MACs, provided a summary of the main issues raised and outlined the LPA's responses. All duly made representations were considered by the Inspector. A further final public hearing session was held on 24th January 2024 prior to the Inspector's Report being published. Following the Inspector's Report, the Replacement LDP was adopted.

3. Current situation/ proposal

Summary of Inspector's Report

3.1 Regulation 25 of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (as amended), requires the Council to adopt the RLDP within eight weeks of receipt of the Inspector's Report. The Inspector's Report concludes that, subject to the binding recommended changes, the Bridgend RLDP satisfies the

requirements of section 64(5) of the Planning and Compulsory Purchase Act 2004 and meets the Welsh Government's tests of soundness.

3.2 **All duly made representations and the matters raised at the Examination hearings were considered by the Inspector prior to publication of this Report.**

The Inspector's recommended changes, needed in order to meet legal and statutory requirements and to ensure that the RLDP is sound, are binding on the Council. Almost all the recommended changes were put forward by the LPA in response to matters discussed during the Examination. Most changes relate to policy wording clarifications, revision of targets to reflect updated evidence / trajectories and the inclusion of additional detail provided to the Inspector during the Examination. The main changes are summarised as:

- Amendments to the Plan's Strategic Framework to explain the national and regional development context;
- A reduction in the supply of housing land over the Plan period; and resultant changes to the housing trajectory and flexibility allowance;
- Alterations to the specific housing site allocations, including the deletion of Land at Parc Afon Ewenni, Bridgend and the allocation of the Land at the Former Cooper Standards Site, Ewenny Road, Maesteg as a result of updated evidence;
- The revision of the Plan-wide affordable housing target to reflect changes in the supply of housing land; and an update to the requirement figure for the provision of Gypsy and Traveller pitches over the Plan period;
- Alterations to the affordable housing rural exceptions, residential density and houses in multiple occupation policies to clarify requirements and ensure compliance with national policy;
- Amendments to the policy framework for the allocation of Strategic Development Sites to include greater clarity in relation to site specific matters such as the maintenance and enhancement of biodiversity, green infrastructure, transportation, design and placemaking;
- A minor reduction in the provision of land for employment related development to reflect changes in the provision of available land;
- The inclusion of a retail need figure for the Plan period and alterations to the policy framework to explain how the requirement will be met;
- Revisions to the policy framework for renewable and low carbon energy development to reflect the supporting evidence and ensure compliance with national policy; and
- The deletion of policy requirements in relation to historic assets of special local importance, conservation areas and listed buildings to ensure the Plan complies with the requirements of national policy.

3.3 Minor Editorial Changes (**MECs**) have also been identified by the LPA, which are not the subject of a binding recommendation. They do, however, improve the usability of the final Plan document. The LPA is authorised to make such necessary MECs to the Plan arising from inclusion of the changes recommended for soundness. These include minor typographical or factual corrections, consequential changes or presentational matters required in the production of the final adopted version of the RLDP.

Plan Adoption, Monitoring and Review

- 3.4 Once adopted, the Bridgend RLDP 2018-2033 will become the statutory Development Plan for the County Borough and the existing LDP 2006-2021 will cease to have effect. From the date of adoption, the RLDP will be subject to a six week challenge period to the High Court under section 113 of the Planning and Compulsory Purchase Act 2004 and as referenced within the Adoption Statement.
- 3.5 Following the adoption of the RLDP, the LPA must publish and submit to Welsh Government an Annual Monitoring Report (**AMR**) under Regulation 37 of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (as amended). The first AMR is required to be submitted by 31st October in the year following adoption of the RLDP (i.e. 2025). This will assess the extent to which the RLDP's strategy, policies and key site allocations are being delivered. The results will also identify any challenges, opportunities and possible ways forward for revising policies and proposals at a future Plan review. In this respect, the LPA must undertake a mandatory full Plan review 4 years following its adoption to ensure that the RLDP remains up to date. This will be due to take place in March 2028.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 There are no direct equalities implications associated with this report. However, the policies and allocations contained within the RLDP have been subject to a full Equality Impact Assessment (**EIA**). The EIA considers the impact of the RLDP on the nine protected characteristics, the Socio-economic Duty and the use of the Welsh Language.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 The RLDP has full regard to the provisions of the Well-being of Future Generations (Wales) Act 2015 and to the "*Well-being Goals*". The promotion and recognition of well-being was interwoven into plan preparation from the outset, through effective stakeholder engagement via the Public Service Board. The theme of well-being and the provisions of the Well-being of Future Generations (Wales) Act 2015 are considered through the Sustainability Appraisal process and reflected in the use of the local Well-being Goals in framing the RLDP's Strategic Objectives and the Strategic Policies.
- 5.2 The RLDP will provide the framework to deliver against all 7 "*Corporate Wellbeing Objectives*" by enabling delivery of new homes, jobs, education facilities, recreation provision, highways improvements, active travel provision and a wide range of other supporting infrastructure. The RLDP will function as a catalyst to lever significant investment into Bridgend County Borough; approximately £116,000,000 in private sector investment together with 1,711 affordable homes over the life of the Plan.

5.3 The RLDP will also enhance strategic direction and contribute to the full suite of goals within the Well-being of Future Generations (Wales) Act 2015, most notably:

- A prosperous Wales – sustainable, placemaking-led development will reduce the reliance on costly transport, promote active travel opportunities, enable new jobs and support town centres within the County Borough.
- A resilient Wales – provision of good quality market and affordable housing alongside new employment provision will increase the resilience of both individuals and communities.
- A Wales of cohesive communities – enabling well-connected, mixed-use and multi-tenure developments will foster sustainable, socially cohesive communities.

6. Climate Change Implications

6.1 The RLDP sets a framework for mitigating the impacts of climate change through Policy SP4. In order to do so, Policy SP4 requires that all development makes a positive contribution towards tackling the causes of, and / or adapting to, the impacts of climate change. Proposals must: reflect sustainable transport and access principles; have low / zero carbon energy requirements; utilise local materials and supplies; encourage the development of renewable and low / zero carbon energy generation; be of a design that helps wildlife and habitats adapt to climate change and assist in cooling the urban environment; use resources more efficiently; and direct development away from areas of flood risk. The RLDP's approach to mitigating the impact of climate change has been deemed robust and consistent with the requirements of national policy by the Independent Inspector.

7. Safeguarding and Corporate Parent Implications

7.1 There are no Safeguarding and Corporate Parent Implications from this report.

8. Financial Implications

8.1 There are no financial implications arising from this report. The RLDP preparation process has been funded through the RLDP budget.

9. Recommendation(s)

9.1 That the Town and Community Council Forum notes the report.