

WELSH GOVERNMENT
Examination Hearing
Statement

Bridgend County Council
Local Development Plan

Matter 1

Plan Preparation and LDP Strategic Framework

28 February 2023

Matter 1: Plan Preparation and LDP Strategic Framework

Issue – Is the LDP legally compliant, and is the Plan’s Strategy justified and likely to be effective in ensuring that development needs of Bridgend can be met in a way that contributes to the achievement of sustainable development?

Plan Preparation

1. Has the LDP been prepared in accordance with the requirements of:

a) The approved Delivery Agreement, including the Community Involvement Scheme?

In respect of the DA timetable, the Welsh Government (WG) can confirm that the LDP has been prepared in accordance with the agreed DA and there are no procedural issues with the timetable. The Councils answer to your preliminary questions (ED3) represents an accurate account of the situation.

b) The Well-being of Future Generations Act (Wales) (2015)? and c) The Equality Act (2010)?

This is a matter for the LPA.

2. Has the Plan been subject to a robust Sustainability Appraisal/Strategic Environmental Assessment? and have all the ‘likely significant environmental effects’ of the Plan and all ‘reasonable alternatives’ been identified, described and evaluated?

This is a matter for the LPA.

3. Has the Plan been subject to a robust Habitats Regulations Assessment? Where ‘likely significant environmental effects’ have been identified, has an adequate Appropriate Assessment been undertaken?

This is a matter for the LPA.

4. Does the HRA take account of National Resources Wales advice regarding phosphate levels in Riverine Special Area of Conservation?

This is a matter for the LPA/NRW.

5. Is the Plan consistent with Future Wales: The National Development Framework?

Future Wales and a revised Planning Policy Wales (PPW) Edition 11 were published in February 2021, prior to the Deposit Plan consultation in July 2021. The NDF is at the top of the development plan hierarchy in Wales and all Local Development Plans (LDPs) must be in ‘general conformity’ with it (Planning and Compulsory Purchase Act 2004 – Section 60(1)(3)). The definition of ‘general conformity’ is included within the Development Plans Manual (Edition) 3 (DPM) at paragraph 2.17 and ‘general conformity’ with the NDF is a test of soundness (DPM, Table 27, p166) for the LDP.

Our response to the Deposit plan confirmed that the plan is in general conformity with Wales in relation to the scale and broad location of growth. The rationale is explained as follows.

Future Wales identifies Bridgend and the valley areas as being within a National Growth Area, specifically Policy 33. The policy states this area is to be the focus for strategic economic and housing growth within the South East region.

The level of growth proposed in the deposit LDP is 7,575 dwellings over the plan period, an uplift of 1,905, or 33% over the 2018 principal projections. This degree of aspiration aligns with Bridgend being within a national growth area. This is supported by 71.9ha of employment, looking to deliver 7,500 jobs, thereby retaining the younger cohort of employees. Collectively, these approaches support Bridgend as having a key role in the national growth area, aligning with Future Wales. The level of growth also aligns with Policy 7 (Future Wales) in respect of the delivery of affordable homes.

In respect of the **broad distribution of growth**, the LDP is supported by a settlement hierarchy analysis, concluding that Bridgend is the primary settlement, identifying secondary settlements, as well as directing regeneration to Porthcawl and Maesteg. The Valleys (including Maesteg) are identified in Policy 1 (Future Wales). The approach of focusing growth in the relevant tiers of settlements, according to service and facility provision is in direct alignment with Policy 2 (Future Wales) assisting the regeneration of under-performing settlements. This urban focussed approach, based on strategic place making, whilst also seeking to redress regeneration issues compliments the approach set out in Future Wales

In summary, the Welsh Government considers the spatial strategy and growth levels within the LDP is in 'general conformity' with Future Wales. The Welsh Government is not objecting to the soundness of the plan on this basis. More detailed comments on specific aspects of strategy, housing and affordable housing matters and policies are covered as part of the relevant questions in this and other topic based hearing statements.

6. Has the Plan had regard to the requirements of the Well-being of Future Generations Act (Wales) 2015 with regard to the well-being goals and ways of working?

This is a matter for the LPA.

7. Have there been any significant changes in national policy or local circumstances since the LDP was placed on deposit? if there have, what are the implications of these changes for the Plan? do they need to be addressed through the preparation of new evidence and/or revisions to the Plan? what is the intended timescale for this work?

In March 2022, Welsh Government published a new methodology/toolkit for undertaking Local Housing Market Assessment (LHMA). The new system became operation on 31st March 2022 and all LPAs must adhere to it from this date. However, it is important to note that transitional arrangements were put in place for those LDPs

that had already reached Deposit Stage. On this basis the new system does not apply to Bridgend.

National Policy changes in respect of TAN 15 are covered later in this statement.

Vision, Objectives and Strategy

8. Is the Plan's Vision sufficiently aspirational and locally specific to form the basis for planning to 2033? and how will they be delivered?

This is for the LPA to answer.

9. Are the Plan's objectives SMART and capable of delivering on the identified Vision?

This is for the LPA to answer.

10. Does the Plan's Growth and Spatial Strategy represent an appropriate approach for delivering, managing and distributing growth over the Plan period?

See our previous comments relating to Future Wales.

The Council's Growth Strategy ('Regeneration and Sustainable Urban Growth Strategy' – Policy SP1) directs the majority of growth to land within or on the periphery of urban areas, towards areas that benefit from, or already have the capacity to deliver good infrastructure, transport, services, facilities, regeneration opportunities and connecting more widely with the opportunities afforded by the Cardiff and Swansea City Regions. As per the Council's analysis (Settlement Assessment revised 2021) on the role of function settlements (reflected in the settlement hierarchy in Policy SF1 and Table 6 and 7) the majority of development is proposed in the higher tier more sustainable settlements. Around 88% of housing and 90% of employment is proposed to be located in settlement/growth area/tiers 1 and 2 with 42% of housing and 70% of the employment located in the primary settlement of Bridgend.

The Welsh Government has no fundamental concerns in respect of the spatial distribution of housing and jobs which is in 'general' conformity with Future Wales. In arriving at its conclusions, the Government has placed great emphasis on ensuring the proposed growth levels and housing requirement can be delivered. PPW (4.2.10 – 11) and the DPM (5.58 -5.74) places great emphasis on development plans being deliverable, including the delivery of housing via robust components of housing supply, articulated through a trajectory. These matters will be covered in our housing statement.

a) How has the Growth and Spatial Strategy been derived and is it based on robust evidence?

This is for the LPA to answer.

b) What are the key components of the Growth and Spatial Strategy and how do they interact?

This is for the LPA to answer.

c) Does the Growth and Spatial Strategy represent a sustainable approach to planning over the plan period? and does it effectively link transportation, employment and residential growth?

This is for the LPA to answer.

d) Does the Growth and Spatial Strategy maximise the use of previously developed land? and adopt the sequential approach to the release of land as set out in Planning Policy Wales?

This is for the LPA to answer.

e) Is the Strategy and policy framework consistent with national planning policy relating to Flood Risk?

National Flood Risk Policy has changed since the LDP was placed on Deposit and WG are currently consulting on amendments to TAN 15. WG will keep the examination updated on progress and estimated publication dates in this respect.

We note and welcome the Councils response in ED3 - Response to your preliminary questions explaining the implications for the LDP. We note that the Council has prepared a significant additional amount of work/evidence in respect of flood risk implications and the plan most notably:

- SD63: Bridgend Strategic Flood Consequences Assessment Update (2022)
- SD99: Statement of Common ground with NRW regarding Porthcawl Waterfront

We note that the allocation at Parc Afon Ewenni has been removed from the plan and Land East of Pencoed is no longer affected by flood risk. We also note the latest position in respect of Porthcawl Waterfront as set out in SD99.

The Composite Plan Written Statement (SD27) is helpful and explains the changes required to reflect this latest position in the various sections of the plan (i.e. housing sites, numbers and sites specific policies, reasoned justification and infrastructure information). The Government considers the plan is compliant with the latest version of TAN15.

f) Is the Growth and Spatial Strategy consistent with those of neighbouring authorities? what are the main cross boundary issues and how have these been addressed?

The WG has no soundness (Test 1) concerns in this respect. Bridgend Council is significantly advanced in LDP preparation compared to other LPAs in the region, many of which have not advanced to Preferred Strategy stage. The Council has done what

it can positively and pragmatically, given the opportunities available to work with other neighbours when Bridgend was at the earlier stages Preferred Strategy/Deposit Stage.

11. How was the Settlement Hierarchy derived, and is it based on robust and credible evidence?

a) What is the purpose of the settlement hierarchy? will it guide new development to the most sustainable locations? and is it clear what types and amount of development, other than housing, will be appropriate in each tier of the hierarchy?

A settlement hierarchy based on the role and function of places within the plan area is essential to set out where, when and what development will happen in the plan period. The DPM (5.19-5.24 and Table 12,) explains that the plan must clearly articulate how the spatial strategy will be delivered and that a settlement hierarchy must be included to clearly articulate in a policy the specific levels of growth attributed to each tier. The WG has no fundamental concerns of how this has been presented in the plan (SF1, SP1, Table 6, Table 7 and Appendix 1) and can confirm that the plan is clear in this respect and accords with the requirements of the DPM.

The settlements themselves, their scoring, role and function analysis, and their position in the hierarchy is for the LPA to answer, not Welsh Government. However, the principle of allocating the majority of growth to higher order more sustainable settlements is supported as previously explained.

b) What is the rationale for the proportions of development split across the tiers?

The proportion of development across each tier is not a target to reach; rather they should demonstrate how the overall components of housing supply and employment are directed across the settlement hierarchy and how this accords with the principles of national policy, i.e. development is directed to the most sustainable places. The inclusion of the percentage figures in Table 6 (para 4.3.51) of the Composite Plan SD27 is supported and is required by the DPM Table 12, see also para 5.24 of the DPM. Coupled with the other tables required by the LDP (see our answer to previous question), they collectively explain the spatial strategy and distribution of housing and employment growth and form an effective basis for future monitoring. The Welsh Government has no fundamental concerns on this matter.

c) Are the settlement boundaries drawn sufficiently widely to enable the predicted amount of growth?

All growth in the plan period must be deliverable and the settlement boundaries are a key element of that discussion. In particular, DPM 5.20 states that settlement boundaries must be appropriately drawn, taking into account the aims of the strategy and the scale and location of windfall development proposed.

12. How was the Regeneration and Sustainable Growth Strategy defined? and is it based on robust and credible evidence?

This is for the LPA.

13. How was the Regeneration Growth Area and the Sustainable Growth Area defined and are they based on robust and credible evidence?

This is for the LPA.

14. Is the approach to site selection sufficiently clear and transparent, and is it founded on a robust and credible evidence?

This is for the LPA.

a) Are the allocated sites based on a robust site assessment methodology that takes into account all potential constraints?

This is for the LPA.

b) Have all infrastructure requirements been considered to ensure the timely deliverability of allocated sites?

The Council has undertaken a significant amount of engagement and technical work in respect of placemaking, viability, delivery, and infrastructure to inform the plan in line with the DPM (Edition 3). The Council has addressed all of the concerns we raised at Deposit stage by undertaking additional work and engagement and including providing information such as masterplan/schematic frameworks, detailed site specific policies and a trajectory in the plan itself (SD27). The preparation of SoCGs with key infrastructure providers/developers and the supporting evidence for the proposed allocations is supported. We also note updated viability appraisals have been prepared for the strategic sites. In terms of what is required by the DPM in relation to infrastructure, viability and delivery, timing and phasing, the Council has undertaken what is required. The merits of individual sites, specific infrastructure requirements/costs, their timing and phasing is a matter for the LPA/development industry to explain, not Welsh Government.

15. Is it clear why the Strategic Development Sites were selected over other candidate sites? and is the Plan over reliant on the delivery of these sites?

This is for the LPA.

16. How will the Plan apply the principles of sustainable placemaking?

This is for the LPA to answer. See our answer to Q14b.

17. Will the requirements of the Flood and Water Management Act 2010, in respect of sustainable drainage systems have an impact on the development capacity, viability and/ or deliverability of allocated sites?

This is for the LPA to answer. All relevant costs should be taken account of in the viability work.

18.How will the Plan seek to mitigate the impact of climate change?

This is for the LPA to answer.

19.How will the plan address the issues of the Welsh language?

This is for the LPA to answer. We note the Councils response to Q30 of your preliminary questions (ED3) that Welsh language is not a significant issue for the plan.

20.Will the Plan be supported by Supplementary Planning Guidance? and what will be the status of Place Plans and how will they relate to the LDP?

We note the LPAs response to Q11 of your preliminary questions (ED3) regarding SPG. We The WG considers it would be useful and to improve the clarity of the plan to include a list of the key SPG required in an Appendix (DPM, grey box, page 210).

The DPM sections 5.6-5.9 set out the Governments expectations and the status of Place Plans in the LDP process. Place Plans are non-statutory documents and can be adopted by the authority as Supplementary Planning Guidance (SPG) to support policies and provide further detail/amplification of policies in the adopted LDP. Place Plans are prepared by local communities and are seen as a powerful tool to promote collaborative action that will improve the well-being and placemaking initiatives in communities and deliver local outcomes. Place Plans should be prepared in conformity with the emerging/adopted LDP. The DPM is clear that Place Plans cannot duplicate or introduce new policy, nor can they de-allocate sites in the adopted LDP. Alternatively, sites could be identified in a Place Plan that are not allocated in the LDP, albeit they would have to align with the policy framework set out in the LDP. The LPA and the relevant local communities are best placed to explain how particular Place Plans link to the LDP and whether there are any concerns on this basis.
