

**BRIDGEND**  
**REPLACEMENT LOCAL DEVELOPMENT PLAN (2018-2033)**  
**EXAMINATION**

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**GUIDANCE NOTES FOR PARTICIPANTS**

**Inspector: Nicola Gulley MA MRTPI**

**1 INTRODUCTION**

- 1.1 I have been appointed by the Ministers of the Welsh Government to undertake an independent examination into the soundness and legal compliance of the Bridgend Replacement Local Development Plan (the 'Plan'). This note provides guidance to participants on the procedural and administrative arrangements for the examination and hearings.
- 1.2 The hearings will be held virtually and will commence at **10:00am on Tuesday 28 February 2022.**
- 1.3 A draft programme for the hearing sessions with a list of potential participants for each session has been published on the Examination website. This is an initial version and details are likely to change. **The final programme, a definitive list of hearing participants and a detailed list of matters, issues and questions will be published on or before 11 January 2023.**

**2 PROGRAMME OFFICER**

- 2.1 Amanda Borge is the Programme Officer (PO) and is responsible for the administration of the examination. She is acting independently of the Council and works under my direction. Her role includes liaising with all parties to ensure the smooth running of the examination, managing the availability of examination documents, the website and the library and acting as the main point of contact for all procedural and administrative matters. Her contact details are:

**Email:** [LDPProgrammeOfficer@bridgend.gov.uk](mailto:LDPProgrammeOfficer@bridgend.gov.uk)

**Tel:** 07977 845855

**Postal address:** Amanda Borge, LDP Programme Officer, Bridgend County Borough Council, Angel Street, Bridgend CF31 4WB

**3 THE EXAMINATION WEBSITE**

- 3.1 Copies of all examination documents are available to view on the internet via the Examination Library webpages.

- 3.2 The Examination Library comprises of the Submission Documents, which includes the Council's evidence base and supporting documents [SD]; and Examination Documents [ED].
- 3.3 Hearing session webpages for each hearing detailing participants and any relevant documents will be added to the examination website in due course.
- 3.4 The Council provides internet access to the Examination website at the Civic Offices, Angel Street, Bridgend CF31 4WB and at the following libraries (provided they remain open to the public):
- Aberkenfig Library, Heol y Llyfrau, Aberkenfig, CF32 9PT;
  - Betws Library, Betws Life Centre, Betws Road, Betws, CF32 8PT;
  - Bridgend Library, Bridgend Life Centre, Angel Street, Bridgend, CF31 4AH
  - Maesteg Library, North's Lane, Maesteg, CF34 9AA;
  - Ogmore Vale Library, Ogmore Valley Life Centre, Aber Road, Ogmore Vale, CF32 7AJ
  - Pencoed Library, Penybont Road, Pencoed, CF35 5RA;
  - Pontycymmer Library, Garw Valley Life Centre, Old Station Yard, Pontycymmer, CF32 8ES;
  - Porthcawl Library, Church Place, Porthcawl, CF36 3AG;
  - Pyle Library, Pyle Life Centre, Helig Fan, Pyle, CF33 6BS;
  - Sarn Library, Sarn Lifelong Learning Centre, Merfield Close, Sarn, CF32 9SW; and
  - Y Llynfi Library, Maesteg Sports Centre, Old Forge Site, Nant-y-Crynwyd, Maesteg, CF34 9EB
- 3.5 Any hearing participant who is unable to access the internet should contact the PO so that alternative arrangements for document access can be put in place.

#### **4. SCOPE OF THE EXAMINATION AND THE ROLE OF THE INSPECTOR**

- 4.1. The Council consulted on the Deposit Draft LDP from 1 June 2021 to 27 July 2021. The Plan was not subject to any Focussed Changes and therefore the Deposit Draft LDP will be the Plan I will examine.
- 4.2 My role is to assess whether the Plan has been prepared in accordance with relevant legal and procedural requirements, and to determine whether it is sound. As per Section 8 of the Welsh Government's Local Development Plan Manual Edition 3 (March 2020), I will assess the Plan's soundness in relation to the following three tests:
- **Test 1: Does the plan fit?** (i.e. is it clear that the Local Development Plan (LDP) is consistent with other plans?)
  - **Test 2: Is the plan appropriate?** (i.e. is the plan appropriate for the area in the light of the evidence?)
  - **Test 3: Will the plan deliver?** (i.e. is it likely to be effective?)

- 4.3. The starting point for the examination is that the Council has submitted a Plan which they consider is sound and legally compliant. Those seeking changes must demonstrate why the Plan does not meet these criteria.
- 4.4. There are two ways by which substantive changes can be made to the submitted plan. These are:
- Matters Arising Changes (MACs), proposed by the Council and recommended by the Inspector; and
  - Inspector Changes (ICs), which are proposed by the Inspector and are binding on the Council.
- 4.5. I can only recommend MACs or binding ICs if they are necessary to resolve problems that would otherwise make the submitted plan unsound or not legally compliant. MACs and ICs materially alter the Plan or its policies and are usually subject to consultation following the hearings.
- 4.6. In addition, the Council may choose to propose minor changes, for example to correct errors or make factual updates. Such changes do not materially affect the Plan and are not subject to examination.
- 4.7. For completeness attached at Appendix 1 is an indicative timetable which outlines the key stages in the examination process.

## **5 THE HEARING SESSIONS**

### Format

- 5.1. The draft hearings programme sets out the order of the hearings and identifies participants for each session. This is currently in draft form and may be subject to change. The final version will be issued before the hearings and will confirm the list of participants for each session. Please let the Programme Officer know by **12 noon on 11 January 2023** whether you intend to participate in a hearing or if any adjustments need to be made to facilitate your attendance.
- 5.2. The Council will advertise the start of the hearing sessions at least 6 weeks in advance. It is anticipated that they will commence on **28 February 2023**. The dates for the hearing sessions will be set out in the draft hearings programme and in the draft hearings timetable which will be on the examination website and updated as necessary. An initial draft timetable for the hearing sessions is set out in Appendix 2.
- 5.3. The hearing sessions will usually be held all day on Tuesdays, Wednesdays and Thursdays. Unless stated otherwise all hearing sessions will start at 10:00am and 14:00pm and finish about 17:00pm. Lunch will normally be between 13:00pm and 14:00pm. Short breaks will be taken mid-morning and mid-afternoon.

- 5.4 The hearing sessions will be digital: that is, they will be held on Microsoft Teams with all participants, including the Inspector, the PO, the Council team, and observers logging in via computers. They will also be open to observers in the same way as in-person events. More information and instructions on how to join or view the hearings will be provided nearer to the time. If you would like to participate (and meet the criteria to do so) or observe, but do not have access to a suitable computer or smart phone, please contact the PO in order to discuss your needs.
- 5.5 Please bear in mind that digital events are new and all parties will probably be unfamiliar with the process and technology. We will, therefore, appreciate your patience and cooperation during hearings. These will, however, operate in much the same way as normally, although there will clearly need to be some differences to ensure they run smoothly. You can be assured though that all participants will be given a chance to address the points raised by the Inspector.
- 5.5 As all parties will be working from screens, which can be intensive and tiring, the Inspectors will ensure there are regular breaks. These are likely to be every 90 minutes or so.
- 5.6 During the events please could you keep your camera and microphone turned off until you are invited to speak. The Microsoft Teams platform provides a 'raised hand function', by which you will be able to indicate that you would like to speak. Observers at hearings are not able to speak and should ensure that their microphones and cameras are kept turned off throughout the session. Please could you also ensure that if you have a telephone near you, it is turned to silent or divert.
- 5.7 As this is a new format, it is possible that issues may arise during the events that we are not expecting. If any of the participants suffer any IT problems such as losing their connection to the event, in the first instance we will adjourn, initially for 5 minutes. In that period, you should try and log straight back in, in the same way as you did before the event began.
- 5.8 If the problem persists then the adjournment may be longer and if it can't be resolved, we may need to adjourn to another day. Please will you keep the PO's telephone number to hand during digital events so that you can keep her informed if you do have problems.
- 5.9 The hearings will be in the form of structured round table discussions which I shall lead. There will be no formal presentation of evidence or cross-examination. Barristers and solicitors, if present, will be treated as part of the respective organisation or team.
- 5.10 The main purpose of the hearings is to enable me to obtain the information I need to conclude on the matters before me. **A list of detailed matters, issues and questions will be published on the examination website on or before 11 January 2023.** These will form the agenda for each hearing

session, as well as provide the basis for any further written statements sought from hearing participants.

- 5.11 At the end of each hearing I may confirm with the Council any actions it needs to take in response to matters raised during the discussion. Any 'action points' agreed will be published in the Examination Library.
- 5.12 Please note that no discussion of omission/alternative site allocations is currently programmed. Those promoting such sites will be eligible to participate in discussions concerning the LDP's strategy. If I determine that there is a need for further site allocations, relevant representors may be invited to make verbal representations at a later hearing.

### Participation

- 5.13 The sessions are open for anyone to observe, including those supporting the Plan. Only those who have made representations within the prescribed time periods and who seek changes to the Plan in relation to the issues to be discussed have a right to participate in the hearings. However, I may also invite additional participants if I consider it necessary.
- 5.14 I will afford equal weight to oral and written evidence. There is therefore no need to participate in a hearing unless you intend to elaborate on points already made in writing or you wish to respond to points made by others. Participants who have indicated a wish to be heard will be given the opportunity to do so, but I will only specifically invite further oral or written evidence where I consider there is a need for it.
- 5.15 I will expect participants at hearings to have familiarised themselves with the relevant documents pertaining to the discussion matters, including the Council's Submission Documents and any further written statements. I would also encourage participants to view the Welsh Government's Local Development Plan Manual and the PEDW's Local Development Plan Examinations Procedural Guidance before the hearings.
- 5.16 Participation in the Welsh language at hearings is welcomed. Where one or more participants in a hearing have indicated a preference to communicate in the Welsh language, translation facilities will be arranged by the Council. To prevent avoidable adjournments, the PO will seek to confirm the language choice of participants prior to hearing sessions taking place.

### Further written statements

- 5.17 The published matters, issues and questions will guide discussions at hearings. As participants should have already set out their full cases in their original representations there should ordinarily be no need to produce further written statements. However, if further written statements are produced, these should:
- state the Representor ID and representation number;

- be limited to the published matters, issues and questions and either be relevant to their original representation or relate to new relevant matters that have arisen since the original representation was made; and
  - not repeat what is in the original representations.
- 5.18 As all examination and submission documents are available on the internet, participants should not attach extracts of these documents to any statements. Instead, statements referring to any of these documents should include the relevant reference and page or paragraph numbers.
- 5.19 Further written statements should accord with the following guidelines:
- A separate statement should be submitted for each hearing.
  - Statements should be clear, succinct and no longer than 3,000 words long for each issue. It is the quality of the reasoning that carries weight, not the scale of the documents.
  - Appendices are not included in the word limit but these should only be submitted if they are essential, with references made to the parts of those appendices being relied upon.
  - Statements should be produced in an A4 format where possible. For hard copies, A3 leaves should be folded to A4.
- 5.20 Statements must be received by the deadline imposed (**12 noon on 14 February 2023**). Late submissions are unlikely to be accepted. Any statements that are of excessive length or contain irrelevant or repetitious material may be returned.
- 5.21 Unlike other participants, the Council is required to respond to each issue and question and therefore the 3,000 word limit does not apply to them. However, any statements should be as succinct as possible. References to existing evidence should be used wherever possible to avoid repetition.
- 5.22 An electronic version and 2 paper copies of any further written statements, including the Council's, should be sent to the PO to arrive **by 12 noon on 14 February 2023**.

## **6 STATEMENTS OF COMMON GROUND**

- 6.1 Any statements of common ground between the Council and representors, or between any other representors, which are being prepared to assist the examination should be submitted to the PO as soon as they are produced and to arrive **no later than 12 noon on 14 February 2023**. This should include an electronic version and 2 paper copies.

## **7 SITE VISITS**

- 7.1 Insofar as I consider it necessary to assess the Plan's soundness, I shall visit relevant sites and areas before, during or after the hearings. I will do these unaccompanied unless access to private land is necessary.

## **8 CLOSE OF THE EXAMINATION**

8.1 After the hearings, the examination will remain open until my report is submitted to the Council. No further representations or evidence will be accepted during this time unless I have specifically requested it.

## **9 FURTHER INFORMATION**

9.1 Further information about the preparation and examination of Local Development Plans can be found using the following links:

- Welsh Government information on Development Plans: [Development plans | Sub-topic | GOV.WALES](#)
- Welsh Government national policy and guidance: [Planning policy and guidance: national policy | Sub-topic | GOV.WALES](#)
- PEDW Local Development Plan Examinations Procedural Guidance: [Local development plan examinations: procedure guidance | GOV.WALES](#)
- Planning & Compulsory Purchase Act 2004, Part 6, Sections 62-72: [Planning and Compulsory Purchase Act 2004 \(legislation.gov.uk\)](#)
- Town and Country Planning (Local Development Plan) (Wales) Regulations 2005: [The Town and Country Planning \(Local Development Plan\) \(Wales\) Regulations 2005 \(legislation.gov.uk\)](#)

*Nicola Gulley*  
INSPECTOR

## APPENDIX 1- INDICATIVE EXAMINATION TIMETABLE

<b>INDICATIVE EXAMINATION TIMETABLE</b>	
<b>Key Task</b>	<b>Date</b>
Council submission of LDP for Examination	<b>01/11/22</b>
Guidance Note for Participation in the Examination published	<b>02/12/22</b>
Schedule of Matters and Issues for the Hearing Session published	<b>11/01/23</b>
Deadline for submission of written statements responding to Matters & Issues for Examination	<b>14/02/23</b>
Hearing sessions commence	<b>28/02/23</b>
Hearing sessions close	<b>30/03/23</b>
[If required] Matters arising changes issued by the Council for 6 week public consultation	<b>TBC</b>
Council to submit an updated Consultation Report	<b>TBC</b>
Submission of Inspector's Report of Findings	<b>01/10/23</b>

## APPENDIX 2- DRAFT HEARING SESSION TIMETABLE

HEARING SESSIONS	MATTER
<b>WEEK 1</b>	
<p><b>Hearing Session 1 -</b>  <i>Tuesday, 28 February</i>  <i>2023 between</i>  <i>10.00 and 17:00</i></p> <p><i>Virtual Hearing</i></p>	<p><b>Opening, Plan Preparation and LDP Strategic Framework</b></p> <ul style="list-style-type: none"> <li>• <i>Process of plan production</i></li> <li>• <i>Compliance with legislative requirements</i></li> <li>• <i>LDP Vision</i></li> <li>• <i>Strategic Objectives and Specific Objectives</i></li> <li>• <i>LDP Growth Strategy</i></li> <li>• <i>Policy SF1: Settlement Hierarchy and Urban Management</i></li> <li>• <i>Policy SP1: Regeneration and Growth Strategy</i></li> <li>• <i>Policy SP2: Regeneration Growth Areas and Sustainable Growth Areas Strategic Allocations</i></li> <li>• <i>Policy SP3: Good Design and Sustainable Placemaking</i></li> <li>• <i>Policy SP4: Mitigating the Impact of Climate Change</i></li> <li>•</li> </ul>
<p><b>Hearing Session 2 -</b>  <i>Wednesday, 1 March</i>  <i>2023 between</i>  <i>10.00 and 17:00</i></p> <p><i>Virtual Hearing</i></p>	<p><b>Active, Healthy, Cohesive, Inclusive and Social Communities – Housing and Greenspace</b></p> <ul style="list-style-type: none"> <li>• <i>Policy SP6: Sustainable Housing Strategy</i></li> <li>• <i>Policy COM 1: Housing Allocation</i></li> <li>• <i>Policy COM6: Residential Density</i></li> <li>• <i>Policy COM10: Provision of Outdoor Space</i></li> <li>• <i>Policy COM11: Provision of Accessible Greenspace (including public open space)</i></li> </ul>
<p><b>Hearing Session 3 -</b>  <i>Thursday, 2 March 2023</i>  <i>between 10.00</i>  <i>and 17:00</i></p> <p><i>Virtual Hearing</i></p>	<p><b>Active, Healthy, Cohesive, Inclusive and Social Communities – Affordable Housing and Gypsy, Travellers, and Show People</b></p> <ul style="list-style-type: none"> <li>• <i>Policy SP6: Sustainable Housing Strategy</i></li> <li>• <i>Policy COM 2: Affordable Housing</i></li> <li>• <i>Policy COM3: On-Site Provision for Affordable Housing</i></li> <li>• <i>Policy COM4: Off-Site Provision for Affordable Housing</i></li> <li>• <i>Policy COM5: Affordable Housing Exception Sites</i></li> <li>• <i>Policy SP7: Gypsy, Travellers, and Show People Sites</i></li> <li>• <i>Policy COM8: Gypsy, Travellers, and Show People Accommodation</i></li> </ul>
<b>WEEK 2</b>	
<p><b>Hearing Session 4 -</b>  <i>Tuesday, 7 March 2023</i>  <i>between 10.00</i>  <i>and 17:00</i></p> <p><i>Virtual Hearing</i></p>	<p><b>Productive and Enterprising Places – Employment and Infrastructure</b></p> <ul style="list-style-type: none"> <li>• <i>Policy SP11: Employment Land Supply</i></li> <li>• <i>Policy ENT1: Employment Allocations</i></li> <li>• <i>Policy ENT2: Protection of Employment Sites</i></li> </ul>

	<ul style="list-style-type: none"> <li>• <i>Policy ENT3: Non-B Uses on Allocated Employment Sites</i></li> <li>• <i>Policy ENT4: Rural Economy</i></li> <li>• <i>Policy ENT5: Former Ford Site, Bridgend</i></li> <li>• <i>Policy SP10: Infrastructure</i></li> <li>• <i>Policy COM14: Telecommunications and digital infrastructure</i></li> </ul>
<p><b>Hearing Session 5 -</b>  <i>Wednesday, 8 March 2023 between 10.00 and 13:00</i></p> <p><i>Virtual Hearing</i></p>	<p><b>Productive and Enterprising Places – Retailing, Commercial and Service Centres</b></p> <ul style="list-style-type: none"> <li>• <i>Policy SP12: Retailing, Commercial and Service Centres</i></li> <li>• <i>Policy ENT8: Non A1, A2 and A3 Uses Outside Primary Shopping Areas</i></li> </ul>
<p><b>Hearing Session 6 -</b>  <i>Wednesday, 8 March 2023 between 14.00 and 17:00</i></p> <p><i>Virtual Hearing</i></p>	<p><b>Productive and Enterprising Places – Renewable Energy</b></p> <ul style="list-style-type: none"> <li>• <i>Policy SP13: Decarbonisation and Renewable Energy</i></li> <li>• <i>Policy ENT10: Low carbon Heating Technologies for New Development</i></li> <li>• <i>Policy ENT11: Energy Efficiency Provision within the Design of Buildings</i></li> </ul>
<p><b>Hearing Session 7 -</b>  <i>Thursday, 9 March 2023 between 10.00 and 13:00</i></p> <p><i>Virtual Hearing</i></p>	<p><b>Productive and Enterprising Places – Minerals</b></p> <ul style="list-style-type: none"> <li>• <i>Policy SP14: Sustainable Development of Mineral Resource</i></li> <li>• <i>Policy ENT14: Development in Mineral Buffer Zones</i></li> </ul>
<b>BREAK WEEK</b>	
<b>WEEK 3</b>	
<p><b>Hearing Session 8 -</b>  <i>Tuesday, 21 March 2023 between 10.00 and 13:00</i></p> <p><i>Virtual Hearing</i></p>	<p><b>Good Design and Sustainable Placemaking – Sustainable Transport and Accessibility</b></p> <ul style="list-style-type: none"> <li>• <i>Policy SP5: Sustainable Transport and Accessibility</i></li> <li>• <i>Policy PLA7: Development West of the Railway Line, Pencoed</i></li> <li>• <i>Policy PLA11: Parking Standards</i></li> <li>• <i>Policy PLA12: Active Travel</i></li> </ul>
<p><b>Hearing Session 9 -</b>  <i>Tuesday, 21 March 2023 between 14.00 and 17:00</i></p> <p><i>Virtual Hearing</i></p>	<p><b>Protect and Enhance Distinctive and Natural Places – Built, Historic and Natural Environment</b></p> <ul style="list-style-type: none"> <li>• <i>Policy SP17: Conservation and Enhancement of the Natural Environment</i></li> <li>• <i>Policy DPN6: Biodiversity, Ecological Networks, Habitats and Species</i></li> <li>• <i>Policy DNP8: Green Infrastructure</i></li> </ul>

<p><b>Hearing Session 10 -</b>  <i>Wednesday, 22 March 2023 between 10.00 and 17:00</i></p> <p><i>Virtual Hearing</i></p>	<p><b>Good Design and Sustainable Placemaking – Strategic Allocations</b></p> <ul style="list-style-type: none"> <li>• <i>Policy PLA1: Porthcawl Waterfront, Porthcawl Regeneration Growth Area</i></li> </ul>
<p><b>Hearing Session 11 -</b>  <i>Thursday, 23 March 2023 between 10.00 and 17:00</i></p> <p><i>Virtual Hearing</i></p>	<p><b>Good Design and Sustainable Placemaking – Strategic Allocations</b></p> <ul style="list-style-type: none"> <li>• <i>Policy PLA2: Land South of Bridgend (Island Farm), Bridgend Sustainable Growth Area</i></li> <li>• <i>Policy COM1(1): Parc Afon, Ewenni</i></li> <li>• <i>Policy COM1(2): Craig y Parcau, Bridgend</i></li> </ul>
<b>WEEK 4</b>	
<p><b>Hearing Session 12 -</b>  <i>Tuesday, 28 March 2023 between 10.00 and 17:00</i></p> <p><i>Virtual Hearing</i></p>	<p><b>Good Design and Sustainable Placemaking – Strategic Allocations</b></p> <ul style="list-style-type: none"> <li>• <i>Policy PLA3: Land West of Bridgend, Bridgend Sustainable Growth Area</i></li> </ul>
<p><b>Hearing Session 13 -</b>  <i>Wednesday, 29 March 2023 between 10.00 and 17:00</i></p> <p><i>Virtual Hearing</i></p>	<p><b>Good Design and Sustainable Placemaking – Strategic Allocations</b></p> <ul style="list-style-type: none"> <li>• <i>Policy PLA4: Land West of Pencoed, Pencoed Sustainable Growth Area</i></li> </ul>
<p><b>Hearing Session 14 -</b>  <i>Thursday, 30 March 2023 between 10.00 and 17:00</i></p> <p><i>Virtual Hearing</i></p>	<p><b>Good Design and Sustainable Placemaking – Strategic Allocations</b></p> <ul style="list-style-type: none"> <li>• <i>Policy PLA5: Land East of Pyle, Pyle, Kenfig Hill and North Cornelly Sustainable Growth Area</i></li> <li>• <i>Policy ENT1(11): Ty Draw Farm, Pyle</i></li> </ul>

1.2 All Hearing sessions will start at 10:00am and 2:00pm each day, with a break for lunch at about 1.00pm, and a finish at about 5.00pm. Reserve days will only be used where the Inspector considers that it is expedient to do so.

1.3 **Hearing sessions to discuss Alternative Sites will only be held if the Inspector considers it necessary to do so.**

## **APPENDIX 3 – FREQUENTLY ASKED QUESTIONS**

### **Where can I find the examination documents?**

The examination documents, submitted documents and hearings programme can be found at on the Examination website. If you wish to view hard copies of any of these documents please contact the PO.

### **What if I want to participate in a virtual hearing but do not wish to be screened live?**

Participants who wish to take part in a hearing session but do not wish to appear on screen are welcome to leave their camera turned off.

### **Can I take part in the hearing sessions even though I originally said I didn't want to participate?**

Yes. Provided you have a duly made representation that is related to the subject being discussed at the hearing session you wish to attend. If this is the case, please contact the Programme Officer who will make the necessary arrangements for you to attend the session.

### **Can I take part in the hearing sessions if I haven't made a representation?**

No. Generally, only individuals or organisations with a duly made representation can participate in hearing sessions. However, you are welcome to observe the session should you wish.

### **Do I need to produce a statement?**

No. There is no need to produce a statement unless you specifically wish to do so, you can simply rely on your existing representation(s).

### **Can I observe the hearing sessions?**

Yes. Both physical and virtual hearing sessions can be observed by members of the public. Please contact the Programme Officer who will be able to provide you with advice about how and when you can view sessions.