

Portfolio Holder for Regeneration and Planning

Meeting Venue

Meeting date
Tuesday, 10 May 2016

Meeting time

For further information please contact
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County Hall
Llandrindod Wells
Powys
LD1 5LG

4 May 2016

AGENDA

1.	POWYS LOCAL DEVELOPMENT PLAN - CONSULTATION REPORT APRIL 2016
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(Pages 3 - 380)

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CYNGOR SIR POWYS COUNTY COUNCIL.
PORTFOLIO HOLDER DELEGATED DECISION
by
COUNTY COUNCILLOR A YORK
PORTFOLIO HOLDER FOR REGENERATION AND PLANNING
May 2016

REPORT AUTHOR: Professional Lead – Planning Policy

SUBJECT: Powys Local Development Plan – Consultation Report
April 2016

REPORT FOR: Decision

1 Summary

- 1.1 To consider and approve an update to the Delegated Portfolio Holder Report of January 2016. This update consists of a revised Powys Local Development Plan (LDP) Consultation Report, dated April 2016.
- 1.2 Approve the submission of the updated (LDP) Consultation Report, April 2016 to the National Assembly as appended.

2 Proposal

- 2.1 Cabinet resolved at its meeting on 15th December 2015 to approve:
- (a) The Council's responses to the representations on the deposit LDP 2015.
 - (b) The proposed Focussed Changes and supporting Assessments for public consultation.
 - (c) Any outstanding matters or matters arising from Cabinet in relation to the above, are delegated to the Portfolio Holder in consultation with the Professional Lead – Planning Policy.
- 2.2 Consequently, in line with resolution (c) above, the updated Consultation Report (April 2016) needs to be considered and approved. The Consultation Report has been updated to summarise the main issues raised during the Focussed Changes consultation period in order to inform the Inspector of what the Council consider to be the main issues to be examined. The Inspector has requested the Council to provide the updated Consultation Report.

2.3 Once approved, the Consultation Report (April 2016) will be submitted to the National Assembly as part of the LDP's Examination in Public.

3 One Powys Plan

3.1 The One Powys Plan 2014-17, which incorporates the Powys Change Plan, sets out 5 priorities:

- Integrated health and adult social care.
- Children and Young People.
- Transforming learning and skills.
- Stronger, safer and economically viable Communities.
- Financially balanced and fit for purpose public services.

3.2 The LDP can support and facilitate each of the above priorities, as well as some of the actions and outcomes of the One Powys Plan where there are land use and development implications. Specific reference is made in the One Powys Plan to the LDP under the priority of **Stronger, safer and economically viable communities** which states the following action: "Align the Local Development Plan to ensure it provides a sustainable infrastructure that underpins the delivery of the One Powys Plan". The LDP will also be tested at Public Examination to ensure it has had regard to the One Powys Plan.

3.3 The principal risks are the failure to prepare the LDP in accordance with the Delivery Agreement and the various statutory regulations covering LDP preparation and assessments. This could leave the LDP and its preparation process open to a legal challenge and costs. It could leave the Council without an adopted development plan so that future decisions on planning applications are potentially based on out-of-date policies or on Welsh Government policy and advice that do not reflect the needs of the County.

4 Options Considered/Available

4.1 The LDP Regulations require that when a Planning Authority submits its Local Development Plan for examination, it is accompanied by a Consultation Report.

4.2 Submission is also a statutory requirement and not optional.

5. Preferred Choice and Reasons

5.1 To consider and approve the Powys Local Development Plan (LDP) Consultation Report, April 2016 and approve the submission of the (LDP) Consultation Report, April 2016 to the National Assembly.

5.2 Submission is also a statutory requirement and not optional.

6 Sustainability and Environmental Issues/Equalities/Crime and Disorder,/Welsh Language/Other Policies, etc

6.1 The LDP has been informed by various assessments which seek to ensure the plan has been prepared having regard to its impact on and ability to address matters / issues of sustainability, the environment, equalities, etc. The plan for instance aims to contribute to sustainable development and to enhance the environment. It also includes policies that seek to support Welsh Language in Welsh speaking strongholds and to reduce crime through good design.

6.2 In 2016 the LDP will be subject to Public Examination by a Planning Inspector who will test the plan for 'soundness'. The soundness tests include tests on sustainability and consistency with other relevant strategies.

7 Children and Young People's Impact Statement - Safeguarding and Wellbeing

7.1 The plan includes objectives and policies that seek to facilitate healthy, sustainable living environments and places for the wellbeing of the County's population as a whole. The protection and provision of play and open spaces are one example where the LDP can support the well-being of children. Preparing and testing the Powys LDP through the assessment processes ensures that human health and wellbeing are considered.

8 Local Member(s)

8.1 The Powys LDP will directly affect all those Members with wards, either wholly or partly, located in Powys outside the Brecon Beacons National Park. Those Members with wards entirely within the National Park may be indirectly affected by nearby proposals.

9 Other Front Line Services

9.1 The LDP has the potential to impact on all service areas in a number of possible ways e.g. where services have a 'land use' requirement, or where service delivery is impacted on by the levels of development and growth being planned. Three Portfolio Holders are represented on the LDP Working Group.

10 Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)

10.1 Legal - The Principal Solicitor (Planning): The Consultation report is required by regulations and must be submitted with the Local Development Plan for examination.

10.2 Finance – Comments requested but none received.

11 Local Service Board/Partnerships/Stakeholders etc

11.1 The LDP has the potential to impact on the Local Service Board, partnerships and stakeholders in a number of possible ways e.g. where services have a 'land use' requirement, or where service delivery is impacted on by the levels of development and growth being planned. The LDP process is a statutory process which provides informal and formal opportunities for engagement and involvement. The individual partnership organisations of the LSB have had the opportunity to comment on the LDP during its public consultation periods. Those making comments can also request to be heard by the appointed Planning Inspector at the Examination.

12 Corporate Communications

12.1 The submission of the LDP and associated document has been communicated as widely as possible and must comply with regulatory requirements and the involvement processes set out in the LDP Delivery Agreement. The updated Consultation Report, April 2016 will be submitted as an Examination document.

13 Statutory Officers

13.1 Strategic Director Resources (Section 151 Officer) – comments requested but none received.

13.2 Solicitor to the Council (Monitoring Officer) has commented as follows: "I note the legal comment and have nothing to add to the report."

14 Members' Interests

14.1 The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If the Portfolio Holder has an interest she should declare, complete the relevant notification form and refer the matter to Cabinet for decision.

Recommendation:	Reason for Recommendation:
To approve the LDP Consultation Report April 2016 for submission.	To formally approve the Consultation Report.

Relevant Policy (ies):			
Within Policy:	Y /-N	Within Budget:	Y /-N
Relevant Local Member(s):	N/A		
Person(s) To Implement Decision:	Peter Morris		
Date By When Decision To Be Implemented:	1 st May 2016 (or as soon as approved)		

Contact Officer Name:	Tel:	Fax:	Email:
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Powys Local Development Plan

2011 - 2026

Consultation Report
January April 2016



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Appendices (published separately)

1	Representations and Council Responses on the LDP Preferred Strategy, March 2012 (Regulation 16)
Note	Erratum to Appendix 1, March 2013
2	Summary of Deposit Representations and Council's response and recommendations
3	Summary of Alternative Site Representations and Council's response and recommendations
4	Summary of Focussed Changes Representations and Council's response and recommendations to the Inspector

1. Introduction

1.1 Powys County Council commenced the preparation of the Powys Local Development Plan (LDP) in January 2011. The Delivery Agreement¹ for the Powys Local Development Plan (LDP) was published in November 2010 and revised in March 2013, February and October 2015. This sets out the timetable for preparing the LDP and a Community Involvement Scheme which describes how and when the County Council will involve interested persons and organisations in the LDP's preparation.

1.2 In accordance with the LDP Regulations², this Consultation Report summarises for each stage of the LDP's preparation and its informing appraisals and assessments:

- Who has been involved and engaged.
- The steps taken to publicise consultation.
- The total number of representations received from the consultation and a breakdown of these (comments, supporting representations, objections, not duly made representations).
- A summary of the main issues raised in those engagements, consultations and representations.
- The recommendations as to how the Council considers the main issues should be addressed in the LDP.
- The recommendations as to how the Council considers each of the individual representations received should be addressed in the LDP (attached as appendices).
- Any deviation from the Community Involvement Scheme, including a justification.

1.3 The following sections of the Consultation Report are ordered chronologically by each stage of the LDP's preparation as listed below. Less detail is provided for the early stages (1 & 2) because the LDP Regulations require the Consultation Report to focus on later stages (i.e. from Pre-Deposit Participation onwards). Updates will be added to this Report as preparation of the LDP progresses through each of the stages.

Stage 1 - Delivery Agreement

Stage 2 - Evidence Gathering

Stage 3 - Pre-Deposit Participation (Objective & vision setting)

Stage 4 – Pre-Deposit Public Consultation, March to April 2012

Stage 5a – Initial Deposit (July 2014 – September 2014))

Stage 5b - Revised Deposit (June 2015 – July 2015)

Stage 6 – Focussed Changes Consultation and Submission (January to March 2016)

¹ LDP Delivery Agreement <http://www.powys.gov.uk/ldp>

² Town and Country Planning (Local Development Plan) (Wales) Regulations 2005
<http://www.legislation.gov.uk/wsi/2005/2839/contents/made>

2. Stage 1 – Delivery Agreement

2.1 A draft Delivery Agreement (DA) was published for a six week consultation period between 9th July 2010 and 20th August 2010. In line with the LDP Regulations the consultation targeted specific and general consultation bodies, government departments and those who had commented on an earlier draft version of the DA in 2008 that was not completed.

2.2 A total of 19 representations were received. The issues arising were summarised in the Delivery Agreement, which may be viewed at www.powys.gov.uk/ldp

2.3 Some of the main issues arising from the consultation are summarised below in bold typeface followed by the Council's response to each:

(a) Queries over the selection and role of Core Key Stakeholders

That the DA be amended to clarify that further consideration would be given to whether a more specific group derived from the Key Stakeholders, such as a Stakeholders Panel (the exact name, nature and make up to be agreed) would be helpful to the LDP process.

(b) Suggested additions to the Key Stakeholders List

The Theatres Trust and the Mid Wales Trunk Road Agency were added to the list of Key Stakeholders (Appendix 4 of the DA). The requests for Civic Societies, the North Wales Association of Town and Larger Community Councils and the Montgomeryshire Local Council Forum to be added as Key Stakeholders were rejected.

(c) The representation of Town and Community Councils in the process

The wording of the DA was amended to make clear that County Councillors and Town and Community Councils are the key and democratically elected representatives and stakeholders for issues affecting their areas.

(d) Complaints that major consultation timeframes are too short (6 weeks)

It was acknowledged that timescales for the preparation of the LDP are extremely tight and that proposed consultation periods are highlighted in the DA so that Town and Community Councils and other interested parties may prepare for the consultations in advance. Where possible the Council will provide the consultation material in advance of the consultation periods. It was explained that the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 do not allow for consultation periods to be extended beyond 6 weeks, each relevant section of the regulations highlighting that representations **must be made within** a period of 6 weeks starting on the day the LPA (Local Planning Authority) makes the relevant documents available for consultation.

(e) The role of the Citizens Panel

Support for the use of the Citizens Panel was noted following a comment made by Welshpool Town Council. However, further consideration was

given to the role of the Citizens Panel in the process and it was agreed that their role as a control group is more productive if it were to consider, for instance, the clarity of the questionnaire rather than the detailed consultation documents themselves. This would not conflict with any representations that they may wish to make on the plan as individuals with a local interest. It was therefore agreed to amend section 3.4.5 d) of the DA and that the Citizens Panel be removed from the list of community stakeholders in Appendix 4 of the DA.

(f) Changes to the timetable from submission to the National Assembly (Dec 2013 – Dec 2014)

In response to the comments of the Planning Inspectorate Wales it was agreed that the dates of stages, following submission of the Local Development Plan to the National Assembly, be amended throughout the document to reflect the predicted timescales for holding hearings and reporting to the Council. This did not affect the overall 4 year timeframe for completion.

2.4 The Council is required by the LDP Regulations to keep the Delivery Agreement under review. It became apparent in late 2012 that more time than was set out in the Delivery Agreement, Nov. 2010 was required to prepare the Deposit LDP. A revised timetable was considered and approved by the Council on the 21st February 2013 and subsequently submitted and approved by Welsh Government. The Delivery Agreement was amended and re-published in March 2013.

2.5 The Deposit Draft LDP was published for public consultation from the 28th July 2014 to the 8th September 2014. However, the response from the Welsh Government to the consultation advised that further supporting documents should be in place to support the LDP if it was to be found sound at public examination and it recommended that the Deposit consultation should be repeated. Following the Welsh Government's response, additional supporting documents have been prepared by the Council and in order to repeat the Deposit stage it became necessary to revise the Delivery Agreement. A revised Delivery Agreement was agreed with Welsh Government in February and October 2015.

3. Stage 2 - Evidence Gathering

3.1 It is important that the policies and proposals of the LDP are informed by evidence of the issues affecting the County. Whilst 'evidence gathering' is a continuous process and not a distinct stage in the LDP's preparation, the Council has sought the involvement of specialist stakeholders in evidence gathering as a general principle in order to build consensus and reach agreement wherever possible. Evidence gathering is not a finite stage of the LDP process and will continue through the whole of the LDP process and will be used to monitor the LDP once it has been adopted and implemented.

3.2 Topic Papers

3.2.1 In order to co-ordinate and pull-together the background evidence base for the LDP, a series of Topic Papers have been prepared, and continue to be updated, by the Council.

3.2.2 In preparing Topic papers, the Council has sought to involve relevant stakeholders in the preparation of each topic paper in order to seek agreement and consensus.

3.2.2 Topic papers have also been presented to and considered by the Council's LDP Working Group, comprised of 9 County Councillors. The agendas, reports and minutes of past LDP Working Group meetings are available for viewing on the Council's website via the following link:
<http://www.powys.gov.uk/en/democracy/council-committees-and-meetings/>

3.3 Research

3.3.1 Where evidence has been lacking, the Council has undertaken a number of key pieces of research to inform the evidence base and policies for the LDP. Some examples of these are listed below. . The research papers can be viewed on the LDP webpage: <http://www.powys.gov.uk/ldp>. Research is ongoing and research papers will continue to be updated, and new research undertaken, as required by the Council.

3.3.2 Involvement with key stakeholders has also been undertaken as part of this research wherever necessary and appropriate.

- Renewable Energy Assessment, 2012.
- Strategic Flood Consequences Assessment, (2013).
- Economic Needs Assessment, 2012 and updated in 2015
- Retail Needs Assessment, 2012 and updated in 2015
- Joint Housing Land Availability Studies, published annually.
- Local Housing Market Assessment Update (2010) and updated in 2015.
- Viability Assessment (2014).

3.4 Candidate Sites

3.4.1 Immediately following the commencement of the LDP preparation in January 2011, the Council issued a 'Call for Candidate sites' over a 12 week period from 14th Feb 2011 to 6th May 2011. This process was widely publicised including notices and press releases and by direct mailing to those on the Council's LDP mailing list.

3.4.2 In total, 1,179 site candidate site suggestions were received by the end of the submission period. All sites were recorded and mapped by Shire area and by Community / Town Council area on a Register which can be viewed at: <http://www.powys.gov.uk/ldp>.

3.4.3 The candidate sites have been assessed in accordance with a Candidate Sites Methodology. The methodology was published for a 6 week period of public consultation in March and April 2012 alongside the LDP's Preferred Strategy.

3.4.4 Of the 65 comments received, most were considered to be minor in nature. One issue that raised a number of comments was the involvement of Community and Town Councils in the assessment process with many welcoming this opportunity to have an input into the process and provide a local knowledge of sites before they are selected for inclusion in the Deposit LDP.

3.4.5 In light of the comments received, the Methodology was revised and published in November 2012.

3.4.6 After applying the initial filtering of sites set out in the Methodology, a Candidate Sites Status report³ was published on the LDP website in November 2012. Constraints information and comments on the remaining sites - those left after the first filter had been applied – have been sought and provided by a number of statutory bodies and other key organisations. The Status Report will be updated as further information on candidate sites becomes available.

3.4.7 As part of the Methodology, Community and Town Councils were asked to raise any issues or comments on the remaining filtered candidate sites in April/May 2013, and to update / identify known community needs. Packs of information with relevant forms were sent to the Town & Community Councils. Four evening question and answer briefing sessions were held as follows:

17/4/2013 - Llandrindod Wells (The Gwalia), Welshpool (Neuadd Maldwyn)
18/4/2013 - Brecon (Neuadd Brycheiniog), Carno (Community Centre).

3.4.8 The Candidate Site Status Report was updated in November 2013 and for the initial Deposit Consultation (2014).

3.4.9 County Councillors were asked to raise any issues or comments in December 2013 before the LDP working group (22/2/14) and Full Council Seminar (17/3/14) considered the candidate sites. Decisions were taken at Full Council on 27th May 2014 and subsequently by the Portfolio Holder who was given delegated authority on behalf of Full Council.

³ <http://www.powys.gov.uk/index.php?id=8291&L=0>

4. Stage 3 - Pre-Deposit Participation (Regulation 14)

4.1 The purposes of this stage in the LDP's preparation were to:

- Develop a vision and objectives for the LDP.
- Assess and appraise the vision, objectives and options.
- Identify strategic options for future growth over the LDP's 15 year plan period 2011-2016.
- Agree a draft Preferred Strategy for consultation (see section 5 below).

4.2 LDP Assessment Processes

4.2.1 The Council's LDP Working Group, considered reports on the 3 LDP assessment processes – Strategic Environmental Assessment (SEA), Habitats Regulations Assessment (HRA) and the Sustainability Appraisal (SA) - at its meetings on 21st Jan 2012 and on the 10th June 2011⁴.

4.2.2 By May 2011, the Council officers had made contact with the three Environmental Consultation bodies - Cadw, Environment Agency Wales and the Countryside Council for Wales – prescribed by the SEA Regulations. Meetings had taken place with representatives of the Countryside Council for Wales, the Welsh Government and the Council's Sustainable Development co-ordinator. Internally, awareness of the assessment processes had been raised through meetings of the Sustainability Officers Network.

4.2.3 The first formal stage for SEA is screening and on 5th July 2011 the Council's Cabinet determined that the LDP required an environmental assessment in accordance with The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004.

4.2.4 Following this determination, the Council consulted on the scope and level of detail to be included in the Environmental Report. This is also referred to as 'baseline scoping'. The Assessment Scoping & Baseline Report, July 2011 was published for consultation between 29th July 2011 and 2nd September 2011. All representors on the Council's LDP database (LDPbase), including the 3 Environmental bodies, were informed of the consultation by letter / email dated 27th July 2011 and invited to express opinions on the scope and level of detail that should be included within the report.

4.2.5 In total 142 opinions (representations / comments) were received on the Scoping & Baseline Report. Council's Cabinet considered the opinions and approved Council responses on the 14th Feb 2012.

4.3 LDP Vision, Objectives and Strategy Options and Preferred Strategy

4.3.1 In order to generate the LDP Vision, Objectives, spatial options and Preferred Strategy, the Council sought participation and involvement with various stakeholders – general, specific and others - in a number of ways as

⁴LDP Working Group meetings can be viewed here:
<http://www.powys.gov.uk/en/democracy/council-committees-and-meetings/>

summarised in the following table. The LDP Topic Papers, and the involvement of relevant stakeholders in these, also informed the objectives, spatial and growth options.

Date	Who & How?
4 th Aug 2011	Spatial Planning Team Vision & Objectives Workshop
30 th Sept 2011	LDP Working Group – Vision, Objectives & Strategic Options Workshop
12 th Oct 2011	Head of Service for Regeneration & Development - Meeting
21 st Oct 2011	Affordable Housing Partnership
2 nd Nov 2011	Development Management – Meeting
7 th Nov 2011	Heads of Service Meeting (inform only)
9 th Nov 2011	Montgomeryshire Shire Meeting
16 th Nov 2011	Radnorshire Shire Meeting
23 rd Nov 2011	Brecknock Shire Meeting
25 th Nov 2011	LDP Strategy Stakeholder Involvement Event ⁵ – Pavilion, Llandrindod Wells – this event involved a range of stakeholders including representatives from the Local Service Board, Service and Utility Companies, Countryside Council for Wales, Environment Agency, Powys Association of Voluntary Organisations, Adjoining Local Authorities, Developers / agents, as well as Officers and Members of Powys County Council.
5 th Dec 2011	Community & Town Councils (North Powys) Liaison Meeting
8 th Dec 2011	Community & Town Councils (South Powys) Liaison Meeting
Dec 2011 / Jan 2012	Appraisals & Assessments (SEA / SA / HRA processes) undertaken internally through a small working group of officers
5 th Jan & 23 rd Jan 2012	LDP Working Group – considered Preferred Strategy proposals and recommended approval to Cabinet
10 th Feb 2012	PCC Members' Seminar – introduced Preferred Strategy Proposals to all Members.
14 th Feb 2012	Cabinet – considered Preferred Strategy Proposals and recommended approval to Powys County Council
1 st March 2012	Powys County Council – approval of Preferred Strategy (& appraisal reports) for consultation.

⁵ The LDP team organised and undertook a Strategy Stakeholder Involvement Workshop day in association with Powell Dobson Urbanists. Further details on the content and outcomes of the day are provided in a report available for viewing at <http://www.powys.gov.uk/en/planning-building-control/local-development-plan/>

5. Stage 4 - Pre-Deposit Public Consultation on the LDP Preferred Strategy, March 2012 (Regulations 15 and 16)

5.1 At its meeting on the 1st March 2012, Powys County Council approved the following Pre-Deposit LDP documents for public consultation:

- The Powys Local Development Plan Preferred Strategy, March 2012
- The draft Environmental Report (SEA), March 2012
- The Sustainability Appraisal Report (SA), March 2012
- The Habitats Regulations Assessment Report (HRA), March 2012
- Candidate Sites Assessment Methodology, March 2012

5.2 All the documents were made available for public inspection purposes over the consultation period on the Powys County Council website and in accordance with the LDP Delivery Agreement November 2010 (Appendix 6) at the 4 deposit venues (Llandrindod Wells: Gwalia and County Hall, Brecon: Neuadd Brycheiniog, Welshpool: Neuadd Maldwyn), all main Libraries and Customer Service Points in Powys.

5.3 Public exhibitions with officers in attendance were held from 2pm – 8pm:

Wed 21/3/12 - Newtown (Oriol Davies Gallery)
Thurs 22/3/12- Machynlleth (Y Plas)
Fri 23/3/12 - Llanfyllin (Institute)
Tues 27/3/12 - Knighton (Community Centre)
Wed 28/3/12 - Builth Wells (Antur Gwy)
Thurs 29/3/12 - Ystradgynlais (Welfare Hall)

5.4 The consultation period ran from 19th March to 30th April 2012.

5.5 Representations could be submitted either:

- **on-line** through **PowysLDPWeb** by clicking on the RefPoints in the consultation documents. Direct access to the LDP web pages of the County Council's website was also possible via 'popular pages' on the homepage of the Council's website and via the 'Have your say' page.
- by **letter /email** using a standard representation form.

5.6 All representors on the Powys LDP database (LDPbase) were informed of the consultation by letter and email. A CD Rom of all documents was sent to 151 Specific and General Consultees as considered appropriate (e.g. Town and Community Councils, Environmental Consultation bodies) as well as posters for the public exhibitions.

5.7 Notice of the consultation period was given by local advertisement in the County Times (Friday March 16th 2012) and the Brecon & Radnor Express (Thursday March 15th 2012). Press releases were also submitted to local newspapers and published in the County Times on the 16th March 2012 and the Brecon & Radnor Express on the 22nd March 2012.

5.8 In total the Council received 646 comments / representations during the consultation period, of which 3 were determined to be 'not duly made' as they did not relate to matters being consulted upon. The representations and draft Council responses to each were considered by the LDP Working Group at its meeting on the 11th Oct 2011, and approved by the Council's Cabinet at its meeting on 19th March 2013.

5.9 A breakdown of the representations by document is shown in the table below. The representations and approved Council responses are attached as **Appendix 1** to this report. Bookmarks have been applied to the Appendix to enable navigation of the documents by RefPoint.

Consultation document	No. of Representations / opinions / comments
Preferred Strategy	525
Habitats Regulations Assessment & appendices	24
Draft Environmental Report	25
Sustainability Appraisal report	4
Candidate Sites Methodology	65
Total	646

5.10 The main issues arising from the consultation are set out below, with the Council's response to these.

(a) Growth Levels / Options for Housing, Employment & Retail

- (i) **Justification** – the Preferred Strategy proposed a dwelling requirement of 7,700 dwellings which was lower than Welsh Government's principal 2008 Household Projection. Welsh Government, amongst other organisations, objected to this level and requested further justification be provided. As a consequence of this, officers have had further discussions with Welsh Government officers and it is proposed that further work should be undertaken to justify the Deposit Plan's dwelling requirement. It was noted that Welsh Government household projections based on the 2011 census results were due to be published in Autumn 2013 and would need to be taken into account as new evidence.
- (ii) **Linkages** – comments were received stating that the relationship and linkages between levels of retail, housing and employment development needed to be consistent and explained better in order to bring the overall strategy together better. It was agreed that the strategy could be more coherent and this would be undertaken in preparing the Deposit Plan. Depending on the outcome of the additional work on housing growth, it may be necessary to revisit the evidence of need for employment and retail growth to ensure consistency.

- (iii) **Appropriateness** – the Preferred Strategy included growth level options for employment and housing. Some representors, including Welsh Government, questioned the appropriateness of some of these options. Whilst this is debateable, it was clear that the final levels of growth proposed by the Deposit Plan would need to be robust and strongly justified. In addition, the appraisal processes and in particular the Strategic Environmental Assessment, require realistic alternatives to be considered, so this would be looked at again as part of preparing the Deposit Plan.

(b) Spatial Options

The Preferred Strategy proposed a hybrid spatial option of a settlement hierarchy combined with a central growth corridor, as shown in the diagram on page 47 of the Preferred Strategy. This preferred spatial option received various comments, with the main issues summarised below.

- (i) **Settlement Hierarchy** – The Preferred Strategy proposed a 6 tier settlement hierarchy of Towns, Large Villages, Villages, Hamlets, Rural Settlements and Countryside.

In general there was overwhelming support for a settlement hierarchy which was based on an analysis of services/facilities in settlements and their size, as set out in Appendix 2 (pages 67 – 70) of the Preferred Strategy.

Comments were received stating that there were inaccuracies in Appendix 2 of the Preferred Strategy and also that some settlements were in the wrong tier. Further work was therefore necessary to correct any errors in services / facilities. However, it was acknowledged within the Preferred Strategy that a settlement's classification in the hierarchy is dependent upon other factors including judgements such as a community's aspirations for a settlement and it was proposed that the hierarchy be developed and reviewed as part of the preparation of the deposit plan.

Other comments and ideas received suggested that the hierarchy was too complicated with too many tiers, that a weighting of services and facilities should be introduced or that the UDP classification should be copied. In response to these comments, it was recommended that the settlement hierarchy was reviewed in the run-up to the Deposit plan.

- (ii) **Central Growth Corridor** – This proposal attracted a varied response with a number of supporting comments. However, others questioned the rationale and conviction to the corridor and whether it was necessary at all with the settlement hierarchy considered by some to be sufficient alone. Welsh Government

also asked about the applicability of the hub and cluster approach proposed by the Wales Spatial Plan.

A number of representations were received from those with interests in settlements outside the corridor who thought the corridor would leave these peripheral settlements without growth and development although this was not the intention of the Preferred Strategy which proposed growth in proportion to a settlement's size.

Some suggested that the corridor should be extended to include other settlements such as Three Cocks, Glasbury, Clyro and Hay, although it was considered that to do so would have diluted the purposes of the corridor in creating a strong core.

The 'deliverability' of the corridor was questioned by Welsh Government. It was accepted that this was an unknown until further evidence had been collected on settlement and site constraints information such as the capacity of infrastructure.

To conclude, the central growth corridor proposal attracted a high number of comments. The Council acknowledged it had the opportunity to review and reconsider the spatial options for the Deposit Plan. Indeed spatial options would need to be reconsidered as part of the Strategic Environmental Assessment of the Deposit Plan to ensure realistic alternatives had been considered.

- (iii) **Spatial linkages** – As with the levels of different types of growth, comments were received that the Deposit Plan needed to improve the spatial linkage between housing, retail and employment particularly if it is to meet the objective of reducing traffic.

(c) Villages – Inset maps or Policy Approach

The Preferred Strategy proposed that inset maps should only be prepared for Towns and Large Villages, the top two tiers of the settlement hierarchy. For other lower tier settlements it was proposed that a policy approach should be applied to provide greater flexibility. This proposal received more comments than any other issue in the Preferred Strategy. (Please refer to comments on Refpoint 4.31 of the Preferred Strategy in Appendix 1). Most of those objecting to this proposal recognised the tension between the flexibility of a policy versus the certainty offered by an inset map with a development boundary and allocations.

One of the criticisms received from the consultation was that a draft policy was not included in the Preferred Strategy to show how such a proposal would work. The merits of a policy approach would be given further consideration by the Council as the Deposit LDP is prepared.

(d) Renewable Energy / Wind energy

A number of representations were received stating that the Preferred Strategy failed to address renewable energy and specifically wind energy. The strategy included a note on page 58 that explained, "Policy(ies) on Renewable Energy will be developed on completion and consideration of the findings of the Powys Renewable Energy Assessment, 2012 for inclusion in the Deposit LDP". Policies on Renewable Energy would need to be considered by the Council as part of the preparation of the Deposit Plan.

(e) Other Issues

A range of other issues were raised as part of the consultation and some of these are listed below. These are issues that would be addressed as part of preparing the Deposit Plan.

- The strategy lacked details on infrastructure constraints.
- Safeguarding mineral resources should be taken into account in the assessment of Candidate Sites.
- Habitats Regulations Assessment – must consider the impact of the release of water from waste water treatment works on the River Wye SAC.
- The LDP should have regard to the statutory purposes of the Brecon Beacons National Park.
- An Affordable Housing target must be identified and consideration given to the impact of growth options on levels of affordable housing provision.
- Welsh Government raised concerns about the proposed affordable housing enabling policy which it considered conflicted with TAN2 which requires all rural exception sites to be for 100% affordable housing.
- Viability assessments should be undertaken to inform affordable housing and deliverability of sites.
- What is the Council's position on Community Infrastructure Levy?

6. Stage 5a – Initial Deposit LDP for consultation, July – September 2014, (Regulation 17)

6.1 In preparing the deposit plan (2014) involvement was undertaken through the following methods:

Candidate Site Process:

6.2 Town & Community Councils were provided with a feedback pack and were notified on 28th March 2013 of 4 question and answer drop in sessions held on:

17/4/2013	Llandrindod / Llandrindod Wells, Y Gwalia / The Gwalia	7pm
17/4/2013	Y Trallwng/ Welshpool, Neuadd Maldwyn	7pm
18/4/2013	Aberhonddu / Brecon, Neuadd Brycheiniog	7pm
18/4/2013	Carno, Canolfan Gymunedol / Carno, Community Centre	7pm

6.3 Town & Community Councils were asked to provide feedback on sites including a recommendation by 31st May 2013.

6.4 Constraints information on the candidate sites continued to be obtained including more detailed comments for ecology and highways.

6.5 The following meetings and discussions took place with consultees regarding the candidate sites including

- Welsh Government – Minerals Safeguarding 22nd February 2014
- TRACC – 2nd October 2013
- Powys County Council Highways – 4th October 2013
- Trunk Roads Agency – 16th October 2013
- Dwr Cymru Welsh Water – 7th November 2013
- Network Rail – 14th January 2014

6.6 An update of the Site status report was published on the Council website in December 2013 and all site proposers were notified and invited to enter further discussion regarding any constraints identified. Officers conducted meetings as requested with site proposers and agents.

6.7 In November 2013 the site draft site status report was presented to a series of shire meetings held on the following dates:

- Montgomeryshire – 13th November 2013
- Brecknockshire – 27th November 2013
- Radnorshire – 20th November 2013

At these meeting members were asked to feedback their views and comments on the candidate sites within their wards.

6.8 The candidate sites and their potential for allocation was discussed in detail at the LDP working group meeting and at a Members seminar.

6.9 A further update of the site status report was published alongside the deposit plan.

LDP Working Groups:

6.10 The following LDP working groups met to consider the emerging LDP and supporting documents:

Date of Meeting:	Summary of meeting:
2012	
5/1/12	The working group: <ul style="list-style-type: none"> • Considered and provided comment on the draft Preferred LDP Strategy • Candidate Sites methodology • Housing Growth Options
23/1/12	The Working Group: <ul style="list-style-type: none"> • considered an updated working draft of the Preferred Strategy and made comments • Noted the Strategy had been assessed against various environmental and sustainability criteria. • agreed that there should be no prioritising of policies or objectives as recommended by the appraisals because the LDP should be considered as a whole when determining planning applications. • received a revised draft which explained the candidate sites methodology and how sites would be assessed in order to choose the most acceptable ones for allocation.
5/7/12	The Working Group: <ul style="list-style-type: none"> • were given a LDP update • were given the Powys Local Development Plan Newsletter – Summer 2012, this would be sent to all Members and Town and Community Councils • were given - Planning: A guide for Local Authority Members in Wales produced by the Royal Town Planning Institute (RTPI) • considered a review of the LDP, the work undertaken to date, the website and future work. • Noted that population information from the 2011 Census would be published in July 2012 and this information would be useful when considering the future housing requirements of the County. • Were given a presentation on the lessons learnt by other Councils which had developed their LDP's.
11/10/12	The Working Group <ul style="list-style-type: none"> • considered the representations received on the Preferred Strategy documents and recommended its approval to Cabinet of the draft Council responses.
22/11/12	The Working Group discussed and agreed to the: <ul style="list-style-type: none"> • content of the draft LDP newsletter

	<ul style="list-style-type: none"> • Renewable& Low Carbon Energy Assessment • progress made in seeking Candidate Site constraints information • Candidate Sites Assessment Methodology. • policy approach for 'villages' in the • settlement hierarchy • Natural Heritage Topic Paper.
2013	
22/4/13	<p>The Working Group discussed the:</p> <ul style="list-style-type: none"> • Revised LDP Delivery Agreement March 2013 • Preferred Strategy • Candidate sites • Evidence Research – local housing market assessment • Minerals – safeguarding and regional technical statements • Assessments (SEA, HRA, SA)
7/10/13	<p>The Working Group were updated on:</p> <ul style="list-style-type: none"> • Candidate sites assessment process. • On-going research. • Joint Housing Land Availability Study (JHLAS). • Regional Technical Statement. • Other policy work and matters of interest. Future Work Programme to the Deposit period including the assessment processes. • Discussion on LDP updates to Members.
4/11/13	<p>The Working Group discussed:</p> <ul style="list-style-type: none"> • the draft presentation, which would be made to the Shire meetings in November. • how Members could comment on the candidate sites.
2014	
10/2/14	<p>The Working Group:</p> <ul style="list-style-type: none"> • discussed the working draft of the LDP
24/2/14	<p>The Working Group:</p> <ul style="list-style-type: none"> • discussed work around the settlement boundaries and sites
10/3/14	<p>The Working Group had policy discussions based on the following:</p> <ul style="list-style-type: none"> • LDP Dwelling Requirement – implications of the 2011-based Welsh Government Household projections. • affordable Housing • conversions of rural buildings – employment priority. • welsh language • energy • tourism • employment

	<ul style="list-style-type: none"> • retail • other issues – One Powys Plan
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Member Seminar:

6.11 A Members' Seminar took place on the 17th March 2014. Members discussed some of the key policy areas including:

- housing and growth levels – in light of 2011-based household projections published on 27th Feb 2014
- housing policies including affordable housing
- conversions policy
- economic policies and land provision
- energy policies.

6.12 In the afternoon, breakout workshops were held to discuss the emerging inset maps and land allocations with local members, and where appropriate the classification of the settlement in hierarchy.

6.13 Members were asked to complete a feedback form in order to gather views on the emerging policies and site allocations.

Other involvement:

6.14 Further involvement included:

- On the 11th April 2014 a presentation was made to the Strategic Housing Partnership on the draft housing chapter of the deposit plan which had been developed in consultation with the Council's Affordable Housing Officer.
- Key internal departments including Development management and highways were given the opportunity to comment on an emerging draft deposit plan during April & May 2014.
- Adjoining authorities involvement:
 - Ceredigion County Council - 2nd Oct 2013
 - North Wales Policy Officer Group meeting – 9th April 2014 & 5th June 2014
 - Neath Port Talbot County Borough Council – 21st May 2013
 - Policy Heads at Shropshire Council - 11th February 2013
- Canal and Rivers Trust (Montgomery Canal) – 18th June 2013
- Bronllys Hospital – 10th December 2014
- Officers presented updates to a number of Agents Forum Meetings including one held on 16th January 2014.
- Scottish Power – 30th April 2013

6.16 At its Full Council meeting on the 27th May 2014 Powys County Council approved the following Deposit LDP documents for public consultation:

- The Powys Local Development Plan Deposit, July 2014

- The Environmental Report (SEA), July 2014
- The Sustainability Appraisal Report (SA), July 2014
- The Habitats Regulations Assessment Report (HRA), July 2014
- Consultation Report, 2014

Initial Deposit Consultation (2014):

6.17 The six week consultation period commenced on the 28th July 2014 and ran until the 8th September 2014 (an extra day added due to the August Bank Holiday).

6.18 Seven Public exhibitions with officers in attendance were held from 1pm to 7pm at the following venues (approximate attendance numbers shown in brackets)

Mon 28/7/14 –	Welshpool, Town Hall (60)
Tue 29/7/14 –	Newtown, Oriel Gallery (20)
Mon 4/8/14 –	Machynlleth, Y Plas (25)
Tue 5/8/14 –	Newtown, Oriel Gallery (40)
Wed 6/8/14 -	Llanfyllin, Llanfyllin Institute (60)
Wed 6/8/14 –	Knighton, Community Centre (20)
Thurs 7/8/14 –	Builth Wells, Antur Gwy (40)

6.19 In addition to the above events, Officers from the Planning Policy Team attended the Royal Welsh Agricultural Society's Show on the 21st and 22nd July and were available at the Powys County Council stand to provide advice and guidance on the Deposit consultation phase of the LDP.

6.20 All the documents will be made available for public inspection purposes over the consultation period on the Powys County Council website⁶ and in accordance with the LDP Delivery Agreement November 2010 (Appendix 6) at the 4 deposit venues (Llandrindod Wells: Gwalia and County Hall, Brecon: Neuadd Brycheiniog, Welshpool: Neuadd Maldwyn), all main Libraries and Customer Service Points in Powys.

6.21 Representations could be submitted either:

- **on-line** through **PowysLDPWeb** by clicking on the RefPoints in the consultation documents. Direct access to the LDP web pages of the County Council's website was also possible via 'popular pages' on the homepage of the Council's website and via the 'Have your say' page.
- by **letter /email** using a standard representation form.

6.22 All representors on the Powys LDP database (LDPbase) were informed of the consultation by letter and/ or email. An electronic copy (on CD) of all documents was sent to Specific and General Consultees as considered appropriate (e.g. Town and Community Councils, Environmental Consultation bodies) as well as posters for the public exhibitions.

⁶ <http://www.powys.gov.uk/ldp>

6.23 Notice of the consultation period was given by local advertisement in the Brecon & Radnor Express on the 24th July 2014 and in the County Times on the 25th July. Press releases were also submitted to local newspapers and published on the following dates:

- Brecon & Radnor Express July 2nd 2014
- Brecon & Radnor Express July 24th 2014
- South Wales Evening Post July 24th 2014
- County Times July 25th 2014
- Cambrian News July 31st 2014

6.24 Advance notice of the consultation events entitled “Powys LDP - What’s on now?” were available on the Powys LDP web pages from the beginning of July 2014 and also on the Councils “Have Your Say” webpage.

6.25 An article was placed in the Powys Staff Magazine “Connect” in July 2014 which is circulated to all staff employees via the intranet and paper copies available. The article outlines the LDP exhibition dates.

Initial Deposit Representations (2014)

6.26 In total the Council received 685 comments / representations during the consultation period. The majority of comments were received on the Deposit Draft Plan and only 11 comments were made in relation to the supporting assessments (SA, SEA & HRA).

6.27 In response to the consultation, Welsh Government wrote to the Council on the 8th September 2014. A copy of the Welsh Government’s response can be read on its website at:

<http://wales.gov.uk/topics/planning/development-plans/ourrole/local-development-plans-official-responses/powys/?lang=en>

6.28 Welsh Government’s officers responded by raising significant concerns regarding the soundness of the plan. Reference was made in particular to the policies in relation to economic growth and housing provision not being fully evidenced and to the absence of a Housing Viability Assessment and updated Local Housing Market Assessment. The letter advised that the evidence base supporting the level of housing proposed by the LDP was not sufficient and that a stronger link between the economic growth ambition of the plan and the areas of housing, employment and retail needed to be presented.

6.29 Other aspects of the evidence base were also raised, such as the unavailability at the start of the consultation of an Open Space Assessment, appendices relating the Strategic Flood Consequences Assessment, the Candidate Sites Register, and the absence of evidence in relation to gypsy and traveller site provision.

6.30 The letter concluded by advising that the LDP could be found unsound at the Examination in Public as key elements of the evidence base required to justify the LDP were absent. It strongly recommended that the statutory

deposit consultation period should be repeated with a comprehensive suite of evidence to support the Plan.

6.31 Following receipt of this letter, officers of the Council met with the officers from Welsh Government on several occasions to discuss their concerns and subsequently further supporting documents and evidence was put in place by the Council to support the Deposit LDP for a second deposit period of public consultation in 2015.

6.32 Work on the evidence base included:

- Updated Local Housing Market Assessment (2015)
- Gypsy and Traveller Accommodation Needs Assessment (2015)
- Updated Economic Needs Assessment (2015) and Retail Study (2015).
- A Viability Assessment (2014).
- Open Space Assessment (2015)
- A series of updated LDP Topic Papers.

6.33 The Council has not formally considered the comments that were received on the 2014 Deposit Plan and accompanying consultation documents. Consequently the representations are not attached as an appendix to this Consultation Report, although they are publically available to view through each of the refoints (hyperlinks) in each of the 2014 consultation documents via the Council's LDP web pages.

6.34 Although the Council did not formally consider and respond to the comments, it had regard to them through the LDP Working Group whilst preparing the improved evidence base. In particular, when updating the topic papers consideration was given to the representations made in relation to each topic area and whether they necessitated a change to the LDP or further explanation in the topic paper or in some cases a combination of both. Any representations that were made in relation to the statutory assessments were also been taken into account when assessing and appraising the emerging revised Deposit Plan (2015).

6.35 Following the Council's decision to repeat the deposit consultation stage, the following message was communicated to all representors and placed on the main LDP webpage under the Current Position section.

The Deposit LDP was published for public consultation from the 28th July to the 8th September 2014 and 670 comments or representations were received in response to the consultation.

The representation received from Welsh Government advised the Council that further supporting evidence should have been available to support the LDP at the time of the deposit consultation. Without this in place, Welsh Government advised that there may be a risk that the LDP might be found unsound at examination or additional work would be required at that point.

Having discussed and considered Welsh Government's comments, the Council is in the process of ensuring that the supporting evidence is available with a view to repeating the deposit consultation in mid-2015.

A revised LDP preparation timetable will be prepared in early 2015 through a revised Delivery Agreement.

The representations that were received on the Deposit LDP, 2014 can be viewed on-line through the reference points in each of the consultation documents on this page.

It is not the Council's intention to consider and formally respond to individual representations but regard will be had to them in preparing supporting evidence and the revised Deposit Plan.

Please note that the representations received on the Deposit LDP 2014 will not automatically be carried forward when the revised Deposit Plan is published for consultation. Further guidance on this will be provided at the revised Deposit stage.

7. Stage 5b Revised Deposit LDP (2015) for consultation June – July 2015 (Regulation 17)

7.1 In preparing the revised deposit plan and supporting documents, involvement has been undertaken through the following methods:

Representations received on the Deposit Plan 2014:

7.2 As stated in section 6 above the representations and comments received during the 2014 initial Deposit Draft consultation were considered informally by the Council and used to inform the updated evidence base and, if appropriate, the revised Deposit Draft LDP and accompanying documents. For example, comments were received from one of the water companies (Dwr Cymru Welsh Water) in relation to infrastructure capacity and these have been included in the site allocations table of the Deposit LDP (Appendix 1 of the written statement).

LDP Working Groups:

7.3 The LDP Working Group, whose members are representatives of the Council, was involved in the development and consideration of the improved evidence base underpinning the LDP and met on several occasions between Oct 2014 and May 2015. The meetings, including agenda papers and minutes are published on line at:

[http://intranet.powys.gov.uk/index.php?id=130&membs2\[committeeld\]=ldp&membs2\[formname\]=committee_form](http://intranet.powys.gov.uk/index.php?id=130&membs2[committeeld]=ldp&membs2[formname]=committee_form)

7.4 Where appropriate, the LDP Working Group also sought input from other Members of the Council in order to inform its views.

Other involvement:

- 7.5 Further involvement has included:
- Agents forum – update provided at the meeting on the 16th Jan 2015.
 - Welsh Government Officers – meetings and communication with officers to discuss the improved evidence base, and their attendance at full Council in February 2015.
 - Contact with Natural Resources Wales regarding its 2014 representation.
 - Meeting with the Mid Wales Manufacturing Group on 4th March 2013.
 - Involvement to enable the development of the evidence base and supporting documents e.g.
 - direct contact by the Local Housing Authority with the gypsy family residing in Machynlleth.
 - Consultation with Town / Community Councils, County Councillors and relevant stakeholders in the preparation of the open space assessment.
 - Advisory meeting with the Planning Inspectorate on 22nd January 2015

- Consultation with other internal service areas, such as the local education authority, in relation to the updating of topic papers. The topic papers provide information on involvement.

7.6 At its Full Council meeting on the 23rd April 2015 Powys County Council approved the following revised Deposit LDP documents for public consultation

- The Deposit Draft Local Development Plan, June 2015
- The Environmental Report (SEA), June 2015
- The Sustainability Report (SA), June 2015
- The Habitats Regulations Assessment (HRA), June 2015

Deposit Consultation

7.7 The six week consultation period commenced on 8th June 2015 and ran until 20th July 2015. Four Public exhibitions with officers in attendance were held from 11am to 7pm at the following venues:

8/6/15 – Llandrindod Wells, The Gwalia

10/6/15 – Welshpool, Neuadd Maldwyn

15/6/15 – Ystradgynlais, Welfare Hall

7.8 In addition to the above events, Officers from the Planning Policy Team were available during office hours to provide advice and guidance on the Deposit consultation phase of the LDP.

7.9 All the documents will be made available for public inspection purposes over the consultation period on the Powys County Council website and in accordance with the LDP Delivery Agreement at the 4 deposit venues (Llandrindod Wells: Gwalia and County Hall, Brecon: Neuadd Brycheiniog, Welshpool: Neuadd Maldwyn), and all main Libraries and Customer Service Points in Powys.

7.10 Representations could be submitted either:

- **on-line** through **PowysLDPWeb** by clicking on the RefPoints in the consultation documents. Direct access to the LDP web pages of the County Council's website was also possible via the homepage of the Council's website and via the 'Have your say' page.
- by **letter /email** using a standard representation form.

7.11 All representors on the Powys LDP database (LDPbase) were informed of the consultation by letter and/ or email. An electronic copy (on CD) of all documents was sent to Specific and General Consultees as considered appropriate (e.g. Town and Community Councils, Environmental Consultation bodies) and in accordance with Consultation bodies engaged with or consulted pursuant to Regulations 14, 15 and 20. For further details of consultees refer to Appendices 3 and 4 of the Delivery Agreement.

7.12 Notice of the consultation period was given by local advertisement in the Brecon & Radnor Express on the 28th May 2015 and in the County Times on the 29th May 2015. Press releases were also submitted to local newspapers and published.

Summary of Representations Received

7.13 In total Council received 882 representations during the consultation period from 254 individuals and organisations (representors) (N.B. a small number of representations were treated as 'not duly made' and are not included in the total of 882). Of the total representations, over 50% were in relation to the LDP's written statement, and just under 50% related to the proposals and inset maps. The representations and draft Council responses were considered by the LDP Working group at its meetings on 2nd December 2015 and 11th December 2015, and approved by the Council's Cabinet at its meeting on 15th December, 2015.

7.14 A breakdown of the representations by document is shown in the table below.

Consultation Document	No. of Representations received
LDP written Statement	462
LDP Proposals Maps	410
Habitat Regulations Assessment	6
Strategic Environmental Assessment	2
Sustainability Appraisal Report	2
Total	882

Summary of Main Issues Raised in Representations and Council's response and recommendations

- 7.15 In brief, the representations raised a variety of matters including:
- The LDP's proposed dwelling requirement and the deliverability and viability of housing allocations, and the need to demonstrate a 5 year supply of housing land.
 - The quantity of employment land allocated, and the deliverability of these sites.
 - Affordable housing requirements / targets.
 - Gypsy and traveller site provision to meet identified needs and the deliverability of provision.
 - Objections to site allocations as well as the suggestion of alternative site allocations.

7.16 The following section provides a summary of the main issues raised during the consultation period and Council's response and recommendations. This information is presented by main issue.

	Main Issues	Total number of Representations Received
1	Preparation, Process and Plan Strategy	83
2	Housing distribution and numbers	52
3	Housing Delivery and Infrastructure	38
4	Housing – Affordable Housing	26
5	Other Specialist Housing and Gypsy and Travellers	5
6	Transport and Community Facilities	17
7	Employment, Retail and Tourism	53
8	Minerals, Waste and Renewable Energy	58
9	Development Management and the Environment	66
10	Welsh Language and Culture	42
11	Allocated Sites	281
12	Alternative Sites	106
13	Plan Monitoring and Review	6
14	Miscellaneous	49
	TOTAL	882

7.17 The Council has an electronic database (LDPbase) which has been used for recording all representations on the LDP and the Council's responses to representations. In addition, both representations and Council responses can be viewed through LDPWeb by clicking on the refpoints found in each of the consultation documents. It is possible to present and order the representations and Council's responses in a number of ways, but for ease appended (Appendix 2) to this report is a summary report of all the deposit representations with the corresponding Council response.

1. Preparation, Process and Plan Strategy

Summary of Comments Raised	Council Response and Recommendations
Inset maps required for small villages	<p>The LDP seeks to direct development in accordance with a sustainable settlement hierarchy with the majority of housing and employment allocations made in towns and large villages which have the most services. There are a number of smaller villages where the Council proposes more limited housing development, but does so through a policy approach (Policy H1) rather through an inset map based approach. This policy approach supports small scale infill for open market housing, and exception sites (logical extensions) for affordable housing. This approach provides a degree of flexibility and the Council is satisfied that it is not necessary to produce inset maps for small villages and define development boundaries. Allocating housing sites to such settlements is not considered appropriate either because such settlements are not considered to be the most sustainable settlements to accommodate future housing need.</p> <p>Additionally, this presumption in favour of development within development boundaries artificially increases land values within boundaries compared to those outside of the settlement boundaries and also creates “hope values” on land adjoining settlement boundaries (i.e. land that could be included sometime in a future plan review or as a potential “rounding off” development site). The latter reduces the opportunities for “rural exceptions” affordable housing, and increases the affordability gap in rural settlements as the supply of housing land is restricted.</p> <p>The Council recommends no change to the Plan.</p>
Categorisation of various settlements in the settlement hierarchy.	<p>The Council considers that the proposed sustainable settlement hierarchy is sound, based on a robust methodology with levels of growth and site allocations supported by a wide range of supporting evidence. The Council maintains that the tiers of settlements identified accurately reflect their role, function and overall level of sustainability.</p>

Summary of Comments Raised	Council Response and Recommendations
	<p>The Council consider that the distribution of housing across the Settlement Hierarchy is based on a sound rationale which supports the delivery of the LDP strategy and the longer term viability of settlements considered capable of supporting sustainable growth.</p> <p>The Council considers that the spatial strategy and settlement hierarchy for Powys as a predominantly rural authority should enable a minor proportion of overall housing growth to be accommodated within the smaller rural settlements in line with the LDP Strategy to meet the identified needs and to support social sustainability objectives.</p> <p>The Council recommends no change to the Plan.</p>
Inclusion of white land in settlement development boundaries.	<p>The Council has reviewed all representations relating to the inclusion of white land in settlement development boundaries. As a result of this review some changes to development boundaries have been included in the plan. Some areas of white land have been retained within development boundaries as they are located within the built-up form of settlements and represent potential 'windfall' sites for development even though they may not have been suggested to the Council through the Candidate Sites process.</p> <p>See Focussed Changes for details.</p>
Definition of rural buildings	<p>Rural buildings are buildings located in the countryside and outside settlements. Paragraph 4.1.3 of the LDP states that no specific policy is included in the LDP on the re-use / adaptation of rural buildings because it is considered that PPW, TAN6 and TAN23 provide adequate policy - for example refer to Section 3.2 TAN23 Re-use and Adaptation of Existing Rural Buildings. Further it states that economic reuses have not been prioritised above other uses in order to support a flexible approach to re-use. As such, it is not considered necessary to amend the LDP.</p> <p>The Council recommends no change to the Plan.</p>

Summary of Comments Raised	Council Response and Recommendations
<p>Comments relating to the LDP vision and its reference to the natural environment and landscape.</p>	<p>Council has reviewed representations received relating to the LDP vision and its reference to the natural environment and landscape and agree to amend the vision to better emphasise its reference to the natural environment and outstanding landscapes.</p> <p>See Focussed Changes for details.</p>
<p>Comments on the LDP objectives e.g. the separation of flooding and climate change.</p>	<p>The Council does not feel that it is necessary to make the recommended changes to this objective the detail requested from the representor is included later in the plan within the detailed policy.</p> <p>The Council recommends no change to the Plan.</p>

2. Housing distribution and numbers

Summary of Comments Raised	Council Response and Recommendations
<p>Numerous comments relating to housing provision some of which see additional provision, including provision in specific settlements, and some which consider provision to be adequate.</p> <p>Also, the deliverability and viability of housing allocations, and the need to demonstrate a 5 year supply of housing land.</p>	<p>The Council has revisited the housing growth figures (the dwelling requirement and overall provision figures) following the representations made on the Deposit Plan including the Welsh Government's (WG) fundamental concerns over deliverability and viability. Various representations were received on the LDP's dwelling requirement including some that considered the dwelling requirement to be reasonable, others that it was too high and others that it was too low.</p> <p>The WG considered the Deposit Plan had a challenging target taking into account historical annual completions and in particular the low number of housing completions in the last few years which impact on and significantly increase the required build rates over the remaining Plan period.</p> <p>The Council has proposed a reduced dwelling requirement as a focussed change to the Deposit LDP. This revised target is considered deliverable and ensures that a 5 year housing supply can be met in line with the requirements of TAN1. The evidence for the revised housing land target is fully set out in the revised Population and Housing Topic Paper (Jan 2016). Accompanying this, the Council has also undertaken further work on the deliverability of the LDP's housing allocations, including an assessment of site viability, developer intentions and development constraints, as set out in the Housing and Delivery of New Housing Provision Topic Paper, Jan 2016.</p> <p>Taking account of the proposed Focussed Changes, the Council considers that the proposed growth and spatial strategy is sound, based on a robust methodology with levels of growth and site allocations supported by a wide range of supporting evidence.</p> <p>See Focussed Changes for details.</p>

3. Housing Delivery and Infrastructure

Summary of Comments Raised	Council Response and Recommendations
Settlement specific infrastructure issues such as capacity of sewerage treatment works.	<p>Settlement specific infrastructure issues were considered in the preparation of the LDP and relevant comments received by infrastructure providers during the deposit period have been incorporated into the plan as considered necessary. Site specific infrastructure issues are noted in Appendix 1 of the plan and any new development of allocations will need to address and overcome these issues, particularly where development is to take place in advance of any improvements by statutory bodies.</p> <p>See Focussed Changes for details.</p>
Implementation of CIL and the Council's approach to CIL vs. s106 agreements.	<p>The Council has reviewed representations relating to the implementation of CIL and the Council's approach to CIL vs. s106 agreements. The plan addresses restricting pooling of s106 contributions and the plan is supported by the Powys Local Development Plan and Community Infrastructure Levy Viability Assessment (2014). This assessment considered the impact on development viability of the proposed LDP policies and from introducing a CIL. It concluded that there was scope to introduce a CIL although the Council will not make a decision on whether to pursue a CIL until the LDP has been adopted. It should be noted that the deliverability of site allocations proposed by the plan is not dependant on the introduction of a CIL and site-specific planning obligations will continue to be sought in accordance with the regulations.</p> <p>The Council recommends no change to the Plan, although the Focussed Changes relating to the development management policies set out the Council's position.</p>
Concerns over phasing of housing development (Policy H2) and housing	<p>The Deposit LDP includes a range of policies that provide a framework for how the Council will manage new development; including consideration of phasing, and necessary infrastructure needs to support site deliverability. Policy H2 has been amended to require development briefs for the development of certain sites to address concerns raised.</p>

Summary of Comments Raised	Council Response and Recommendations
density (policy H3).	See Focussed Changes for details.
Comments about the provision of open space within housing developments (policy H14).	<p>Policy H14 is focussed around the Open Space Assessment where it became evident that that not all Local Areas of Play (LAPs) had been included within the assessment, the focus being primarily on play areas with fixed play equipment. A lot of LAPs were missed due to there being no obvious characteristics or they were classified as amenity open space. The concern in the assessment with this is that although there should be 0.25 ha per 1000 population of equipped playing there should be 0.55 ha of informal playing space (LAPs). These give a combined area of 0.8 ha per 1000 population which in most settlements is unachievable. Therefore a decision was taken to focus on the 0.25 ha per 1000 population target for equipped play areas which is of the most benefit to children and young people and is a target that can be considered as achievable. Furthermore the fact that this assessment is looking at the informal areas of open space that children and young people can use for play and will set out a framework to address any deficiencies, means that informal playing space will be available but classified under other typologies.</p> <p>The Council recommend no change to the Plan.</p>

4. Housing – Affordable Housing

Summary of Comments Raised	Council Response and Recommendations
Concerns regarding the viability of development as a result of providing affordable housing.	<p>The Council recognises that development viability can change at a local area over a plan period as a result of fluctuating house prices and development costs. Policy H4 provides some flexibility by providing developers with the opportunity to demonstrate that the development viability of their particular scheme will not be able to provide the target percentage of affordable housing stated in the LDP in a particular house price zone. Policy has been amended to strengthen its approach and remain flexible to address issues raised in the representations received. It reflects the findings of the Viability Assessment. The Council proposes to produce a SPG in relation to Affordable Housing and s.106 contributions.</p> <p>See Focussed Changes for details.</p>
Objections to the 'Enabled Exceptions Policy' (Policy H6)	<p>It is recommended that Policy H6 be deleted from the LDP. It is agreed that the policy is not in conformity with national planning policy as stated in TAN 2 which requires all housing constructed on exceptions sites to be affordable. The Council had sought to pursue an innovative solution with Policy H6 but reluctantly recognises that this does not comply with TAN2.</p> <p>See Focussed Changes for details.</p>
Questions regarding the threshold at which affordable housing is sought and whether it should be lower to reflect evidence.	<p>The Council has reviewed the threshold or size of housing development at which affordable housing contributions should be sought under Policy H4. The Viability Assessment indicates that affordable housing is not viable on sites smaller than 5 dwelling units and it is considered that this threshold should not be amended. Lowering the threshold would lead to smaller scale housing development being rendered unviable.</p> <p>In addition, following the review of representations received, the Council propose to raise the level of</p>

	<p>contribution from 20% to 30 % in the Central Powys area in accordance with the findings of the Viability Study. All other thresholds remain justified.</p> <p>See Focussed Change for details.</p>
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5. Other Specialist Housing and Gypsy and Travellers

Summary of Comments Raised	Council Response and Recommendations
<p>Ensuring the LDP provides sufficient gypsy and traveller sites to meet identified needs and the deliverability of that provision particularly where that need is immediate.</p>	<p>A need has been identified in Machynlleth for a permanent site and the LDP has proposed site allocation P42 HA4 to meet this need alongside Policy H13 of the LDP.</p> <p>The Council is in the process of working towards the delivery of this site as soon as is reasonably and practically possible. Further evidence of the need in the Machynlleth area is being gathered through the GTAA being undertaken to meet the requirements of the Housing (Wales) Act, and a project manager has been recruited to work on the delivery of the site including negotiations with the landowner, preparing a planning application, obtaining funding and grant assistance, etc.</p> <p>The Council recommends no change to the Plan.</p>
<p>Objections relating to the provision of a proposed gypsy site allocation in Machynlleth</p>	<p>The Council is required by legislation (Housing (Wales) Act, 2014) to undertake an assessment of the accommodation needs of gypsies and travellers residing in the County and where a need is identified a duty to meet those needs. A need has been identified in Machynlleth for a permanent site and the LDP has proposed site allocation P42 HA4 to meet this need alongside Policy H13 of the LDP. The selection process for identifying the site is explained in the Powys LDP Topic Paper Gypsy and Traveller needs in Machynlleth, April 2015. The Council considers that proposed site allocation P42 HA4 should be retained in the LDP.</p> <p>The Council recommends no change to the Plan.</p>

6. Transport and Community Facilities

Summary of Comments Raised	Council Response and Recommendations
<p>The transport infrastructure policy (policy T1) to be reworded to make reference to rural areas and the economic importance of transport infrastructure.</p>	<p>The Transport Topic Paper considered the Mid Wales (Joint) Local Transport Plan as well as the Active Travel (Wales) Act. The need for integrated transport services is recognised by Policy T1 which supports the coordination of a wide range of traffic management measures and transport interchange developments that will maximise the efficiency and safety of the transport system. The Council propose to amend Policy T1 to make reference to Welsh Government Priorities and the Active Travel Act as suggested by the representor.</p> <p>See Focussed Changes for details.</p>
<p>Support for the provision of community facilities, although one comment states that the policy needs to be more specific.</p>	<p>Support for the provision of community facilities is noted. Community Facilities Policy C1 was prepared in accordance with national and regional guidance and is supported by the Topic Paper Community Facilities (January 2015).</p> <p>The Council recommends no change to the Plan.</p>
<p>Objections to the loss of playing fields, with specific reference made to a field allocated as a housing allocation in Ystradgynlais.</p>	<p>Having considered the representations made on the allocation of this site, it is recommended as a Focussed Change that the site is not identified as a residential allocation within the Local Development Plan. Sufficient alternative allocated sites are proposed elsewhere within the settlement to meet future residential land requirements.</p> <p>See Focussed Changes for details.</p>

7. Employment, Retail and Tourism

Summary of Comments Raised	Council Response and Recommendations
Bronllys hospital site, reference should be included to the registered historic park and garden, that it should be termed a 'Health and Wellbeing Park', and the need for a development brief to be prepared.	<p>The Council agree to amend Policy E4 and its reasoned justification to include reference to the registered historic park and garden and 'wellbeing'. It also agrees to amend the justification to identify the need for a development brief.</p> <p>See Focussed Changes for details.</p>
Provision of employment land – some comments supporting the level of provision, some objecting to the level of provision, and others questioning how the provision aligns with the evidence base.	<p>The Council has reconsidered the level of employment land allocations proposed by the LDP and has also removed one of the site allocations (P48MUA1 – St Giles Golf Course, Newtown) given further evidence about its non-delivery. In total, the LDP as amended by the proposed Focussed Changes, allocates 45 ha of employment land. Further evidence has been prepared (Powys Employment Needs Assessment, Position Statement, Jan 2016 and an updated Economy Topic Paper Jan 2016), to support this level of allocation and it is considered that the level of provision aligns with the evidence and should be retained to meet the needs of the plan area over the plan period.</p> <p>In relation to the justification for the scale of provision, it is considered that there are many factors at work as follows:</p> <ul style="list-style-type: none"> • By including a flexibility and choice allowance, there is acceptance that the requirement is over and above what may be needed. Over such a large geographic area as Powys, where there are sub-

Summary of Comments Raised	Council Response and Recommendations
	<p>markets, the flexibility and choice allowance is likely to be larger than for other authorities, but is necessary to ensure sufficient flexibility and choice across a wide variety of locations.</p> <ul style="list-style-type: none"> • Most of the site allocations are in sustainable locations (either in or close to towns) and are existing serviced sites, many of which are already in economic use. • Evidence is now becoming available that not only is the churn and replace market increasing, but there is now increasing interest for new sites as businesses look to expand. This is reflected in the recent development interest being shown on many of the allocated sites. <p>The Council has concluded that allocating a range of sites at a range of geographical locations is prudent.</p> <p>See Focussed Changes for details.</p>
Some concerns at the loss of local employment land / small employment sites.	<p>The Plan seeks to support new or small businesses through policy. Policy E2 is worded to allow proposals for employment development in neighbourhood, village and open countryside settings to come forward provided the relevant criteria are met.</p> <p>The Council recommends no change to the Plan.</p>
Support for the town centre first approach for retail development.	<p>The support for the town centre approach for retail development is noted.</p> <p>The Council recommends no change to the Plan.</p>
Need to better distinguish between primary and secondary frontages in retail centres.	<p>The Council agree to amend Policy R2 to provide greater clarity and the reason for distinguishing between Primary and Secondary frontages rather than 33% and 3 adjoining units for both categories and ensuring the retail function of town centres is protected and not compromised.</p> <p>See Focussed Changes for details.</p>

Summary of Comments Raised	Council Response and Recommendations
Policy wording on village shops and services to be strengthened (policy R4).	<p>The Council agree to include consequential reference changes to reflect the focussed changes proposed to the Development Management policies (section 4.2) which strengthen policy wording on village shops and services.</p> <p>See Focussed Changes for details.</p>
Plan over emphasises the importance of the Montgomery Canal compared to other tourist facilities.	<p>The Council agree to amend Policy TD3 to balance policy and emphasis on Montgomery Canal with other tourism assets across the County.</p> <p>See Focussed Changes for details.</p>
Lack of policy in the plan on agricultural development / intensive livestock units.	<p>No specific policy is included on agricultural development, because national policy (PPW, TAN 6 and TAN23) provide adequate policy. The Council however agree to amend the supporting text to provide clarity by referencing the above documents.</p> <p>See Focussed Changes for details.</p>

8. Minerals, Waste and Renewable Energy

Summary of Comments Raised	Council Response and Recommendations
<p>Compatibility with national waste policy framework including the Collections, Infrastructure and Market Sectors plan (CIM).</p> <p>Ensuring waste cross border consistency with neighbouring authorities.</p> <p>Clarity on the capacity of landfill and disposal of residual waste.</p>	<p>The Council agree to amend Policy W1 to address issues raised in the representations received. Proposed amendments seek to address references to landfill sites, TAN21 and CIM and include criterion for anaerobic digesters / composters, provide correct information on sites within the CWWP, include 'other' waste developments within the Policy and to provide a reasoned justification, and to correct reference from secondary to recycled aggregates and address inert waste recycling sites "urban quarries".</p> <p>See Focussed Changes for details.</p>
<p>Need to include a separate minerals safeguarding policy, and clarity on sterilisation of mineral resources and buffer zones.</p>	<p>The Council agree to amend Minerals and development management policy to address minerals safeguarding, provide clarity on sterilisation of mineral resources and buffer zones and ensure that minerals policy is appropriate and consistent with National Policy.</p> <p>See Focussed Changes for details.</p>

Summary of Comments Raised	Council Response and Recommendations
Ensuring the crushed rock aggregate land bank is maintained and monitored within policy.	<p>The Council agree to amend Policy M1 to ensure the crushed rock aggregate land bank is maintained and monitored within the policy and that the policy aligns with national policy.</p> <p>See Focussed Changes for details.</p>
Support for small scale, local / community renewable energy projects. Support for the energy targets in the objective.	<p>Support for small scale, local/community renewable energy projects and inclusion of energy targets in the objective is noted.</p> <p>The Council recommends no change to the Plan.</p>
Reword policy to provide reference to SSAs and clarify the different scales and types of renewable energy.	<p>The Council agree to amend Policy RE1 to provide greater cohesion between the Objective, the Policy and the Topic Paper and to improve clarity by responding to matters raised in representations.</p> <p>See Focussed Changes for details.</p>
Objections to large scale renewable energy / windfarm projects due to impacts on landscape, tourism, etc.	<p>The Council agree to amend Policy RE1 and Development Management Policy to ensure that impacts on landscape, tourism etc. are adequately addressed in the Plan, and to ensure the policy approach to renewable energy is consistent with National Policy.</p> <p>See Focussed Changes for details.</p>

9. Development Management and the Environment

Summary of Comments Raised	Council Response and Recommendations
<p>Disaggregate the two development management policies into separate policies and the establishment of strategic policies to clarify the application of the LDP's strategy in policy terms.</p>	<p>Having considered the representations received on the Development Management Policies the Council propose a focussed change to disaggregate the two development management policies into 17 separate policies as follows:</p> <ul style="list-style-type: none"> Policy DM1 – Planning Obligations Policy DM2 – The Natural Environment Policy DM3 – Landscape Policy DM4 – Development and Flood Risk Policy DM5 – Flood Prevention Measures and Land Drainage Policy DM6 – Dark Skies and External Lighting Policy DM7 - Minerals Safeguarding Policy DM8 - Existing Mineral Working Policy DM9 – Contaminated and Unstable Land Policy DM10 – Amenities Policy DM11 - Protection of Existing Community Facilities and Services Policy DM12 – Transport Requirements for New Development Policy DM13 – Utility Requirements for New Development Policy DM14 - Development in Welsh Speaking Strongholds Policy DM15 – Design and Resources Policy DM16 - Protection and Enhancement of the Historic Environment Policy DM17 - Protection of Existing Employment Sites <p>In addition, two strategic policies are proposed as focussed changes to elaborate the LDP's strategy in policy terms.</p> <p>See Focussed Changes for details.</p>

Summary of Comments Raised	Council Response and Recommendations
<p>Many specific comments relating to the individual component criteria of the development management policies e.g. inclusion of reference to woodland, etc.</p>	<p>The Development Management policies have been redrafted to take on-board all the representations made on the Deposit Plan. This has resulted in a series of topic based Development Management policies, as detailed above.</p> <p>Specific comments relating to individual component criteria have been considered by Council and policies have been amended as Council considers appropriate. This has been done in consultation with statutory consultees where relevant. For specific details on Representation details and Councils response and recommendations refer to Appendix 2. For details on the proposed amendments.</p> <p>See Focussed Changes for details.</p>

10. Welsh Language and Culture

Summary of Comments Raised	Council Response and Recommendations
<p>Ensure the policy aligns with TAN 20 to ensure that the assessment of impacts on Welsh language takes place at the plan-making level and incorporate the findings of the Sustainability Appraisal into the Welsh language section of the LDP.</p>	<p>The Council propose to amend its policy approach to Welsh Language and Culture to better address issues raised in representations received and to ensure its policy approach is consistent with National Policy. In this regard, the Welsh Language and Culture policy has been strengthened to clearly incorporate the findings of the Sustainability Appraisal into the Welsh Language section of the LDP.</p> <p>See Focussed Changes for details.</p>
<p>Consider the viability impacts of Welsh language mitigation measures on different types of development.</p>	<p>The Viability Assessment of the Plan included an assessment of the impact on development viability of the emerging LDP policies to ensure that the level of affordable housing and other policy requirements (including emerging Welsh Language and Planning Obligations Policy) were appropriate and if they would add inviable costs of development. The Assessment concluded that development, subject to the cumulative impact of the policies, within the Plan was not threatened nor put at risk and that the majority of sites would be able to bear the costs associated with policy requirements.</p> <p>Under the proposed policy approach any Planning Obligations associated with Welsh Language and Culture mitigation measures will need to be relevant, necessary and related to the scale of development and will be specific to the development to avoid the maximum pooling requirements of Section 106 or as introduced by the Regulations. Details will be further explained in Planning Obligations - Supplementary Planning</p>

Summary of Comments Raised	Council Response and Recommendations
	<p>Guidance.</p> <p>The Council recommends no change to the Plan.</p>
<p>Consider how the LDP can better promote Welsh language and concerns about the impact of development upon Welsh language strongholds / communities.</p>	<p>The Council propose to amend its policy approach to Welsh Language and Culture to better address issues raised in representations received and to ensure its policy approach is consistent with National Policy.</p> <p>The plan recognises the linguistic sensitivity of Welsh speaking communities and includes policy that seeks to mitigate against the impact of large housing developments within these areas. As part of the preparation of the Local Development Plan (LDP) the Council commissioned research to see the effect new housing developments have had on traditional Welsh Speaking Communities. This Welsh Language Impact Assessment forms part of the Sustainability Appraisal of the Plan and its findings supports the amended Welsh Language policy approach and will inform the preparation of Supplementary Planning Guidance on appropriate Welsh Language and Culture Mitigation Measures.</p> <p>The LDP also includes sufficient monitoring criteria to enable consideration and review of Welsh Language policy and associated planning applications as part of LDP Annual Monitoring Reports and the Plan review processes provided under national planning guidance.</p> <p>See Focussed Changes for details.</p>

11. Allocated Sites

Summary of Comments Raised	Council Response and Recommendations
<p>Comments relating to the site information in Appendix 1 of the LDP.</p>	<p>Representations received relating to site information including, for example site specific infrastructure issues or environmental constraints have been reviewed and where considered appropriate Appendix 1 of the LDP has been amended accordingly. Any new development of allocations will need to address and overcome these issues.</p> <p>See Focussed Changes for details and Appendix 3 of this report for details.</p>
<p>Support for many of the LDP's allocations.</p>	<p>Support for many of the LDP allocations are noted.</p> <p>The Council recommends no change to the plan.</p>

12. Alternative Sites

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Summary of Comments Raised	Council Response and Recommendations
<p>Many site related comments including objections to specific sites and the suggestion of alternative sites for allocation. Those settlements with allocations generating the largest number of comments include: Builth Wells, Ystradgynlais and Boughrood and Llyswen.</p> <p>Many site related comments suggesting alternative sites for allocation. Many of these proposals were previous Candidate Site suggestions and only a small number of new sites (not previously candidate sites) were proposed (approx. 25).</p>	<p>Council has reviewed all representations relating to objections to specific sites and the suggestion of alternative sites for allocation. As a result of this review some alternative sites have been subsequently included in the plan. An alternative sites register has been prepared by the Council.</p> <p>In recommending any site changes the Council has considered all relevant planning merits and has concluded that the site put forward in the plan are the most appropriate to meet the needs identified. In allocating sites in the LDP, the potential impacts that development would have on adjacent land uses, access to services, environmental constraints and other planning designations have all formed a consideration and the Council is of the view that such detailed issues can be addressed through sensitive site design and appropriate site management arrangements.</p> <p>See Focussed Changes and Appendix 3 of this report for details.</p>

13. Plan Monitoring and Review

Summary of Comments Raised	Council Response and Recommendations
<p>Ensure the monitoring indicators are appropriate to measure the delivery of policies and to alert to their non-delivery.</p>	<p>Council has considered representations received in relation to monitoring indicators and reviewed their appropriateness. The Council has amended the monitoring framework to reflect issues raised in the representations, as considered appropriate.</p> <p>See Focussed Changes for details.</p>
<p>Trigger points for intervention should be checked.</p>	<p>Council has reviewed and checked trigger points for intervention associated with the monitoring framework of the LDP. The Council has amended trigger points, as considered appropriate.</p> <p>See Focussed Changes for details.</p>

14 Miscellaneous

Summary of Comments Raised	Council Response and Recommendations
A small number of comments relating to the SEA, SA and HRA.	<p>The Council have reviewed representations received in relation to the Assessments / Appraisals of the plan (i.e. the Strategic Environmental Assessment, the Sustainability Appraisal and the Habitat Regulations Assessment) and responded to these separately. Each of the assessments has been updated to inform the Focussed Changes.</p> <p>See Focussed Changes for details.</p>
Comments relating to the non-inclusion (i.e. non-allocation) of candidate sites in the LDP.	<p>The Council has reviewed all representations relating to the non-inclusion/non-allocation of candidate sites. As a result of this, and having regard to the LDP's housing and employment targets, it is proposed by the Focussed Changes that some alternative sites are allocated for future development and that some allocation boundaries are amended.</p> <p>See Focussed Changes for details.</p>
Development boundary amendments including comments suggesting amendments and querying the inclusion / exclusion of white land.	<p>The Council has reviewed all representations relating to Development boundary amendments including comments suggesting amendments and querying the inclusion/exclusion of white land. As a result of this review some changes to development boundaries have been included in the plan. In recommending any boundary changes Council has considered all relevant planning merits including the potential impacts that development would have on adjacent land uses, access to services, environmental constraints and other planning designations.</p> <p>White land is included within development boundaries where it is located within the built form of a settlement. Such land may not have been suggested to the Council as a candidate site, although its development may come forward during the plan period.</p>

Summary of Comments Raised	Council Response and Recommendations
	See Focussed Changes for details.
Inclusion of a specific policy on National Parks.	<p>The Council disagree with the need to include a specific policy on National Parks and considers that the proposed Development Management Policies (refer to Policy DM3 of the Focussed Changes) adequately address the protection of adjacent protected landscapes (including National Parks and adjoining areas of Outstanding Natural Beauty).</p> <p>See Focussed Changes for details.</p>

8. Stage 6 - Consultation on Focussed Changes, January 2016

8.1 Having considered the representations made on the Deposit Plan, the Council considered that some changes to the Plan would address some of the matters and issues raised by representors. These proposed changes are referred to as Focussed Changes, although they are non-statutory and not defined by legislation or regulation. It was also considered appropriate to publish Focussed Changes in order to assist the Inspector appointed to conduct the Examination.

8.2 Welsh Government advises in its LDP Manual, 2015 that changes after deposit should be avoided wherever possible, but exceptionally it may prove necessary to consider proposing changes to ensure the plan is sound, for example where there has been a sudden, major change in local circumstances, new national planning policy has been introduced or deposit plan representations identify an unforeseen soundness issue.

8.3 Further, it advises that this should be one set of an extremely limited number of focussed changes that reflect key pieces of evidence but do not go to the heart of the plan. It advises that consultation on these proposed changes should take place at the earliest opportunity to avoid delaying the examination process. It advises that immediately preceding submission of its LDP for examination, the LPA should commence advertising through public consultation (6 week period) an addendum to the deposit plan. This addendum should set out the focussed changes it wishes to be made, showing the new /revised policies and text, and supported by reasoning and robust evidence for the changes. Representations may only be made on the Focussed Changes.

8.4 Focussed Changes were approved by the Council in December 2015 and public consultation is planned for the 6 week period 29th January 2016 to March 11th 2016. All persons and organisations (representors) on LDPbase, including those who made deposit representations, specific and general consultation bodies will be were notified of the consultation.

8.5 In preparing Focussed Changes to the plan, the Council liaised with a range of stakeholders and statutory consultees. This included working with various parties including developers and holding meetings with key statutory consultees including Welsh Government and Natural Resources Wales.

Focussed Changes Consultation

8.6 The six week Focussed Changes consultation period commenced on 29th January and ran until 11th March 2016.

8.7 All the necessary documents were made available for public inspection purposes over the consultation period via the Powys County Council's LDP web pages, and in accordance with the LDP Delivery Agreement, at the 4 deposit venues (Llandrindod Wells: Gwalia and County Hall, Brecon: Neuadd Brycheiniog, Welshpool: Neuadd Maldwyn), and all main Libraries and Customer Service Points in Powys.

8.8 Officers from the Planning Policy Team were also available during office hours to provide advice and guidance on the Focussed Changes and the consultation process.

8.9 Representations were submitted either by **letter /email** using a standard representation form.

8.10 All representors on the Powys LDP database (LDPbase) were informed of the consultation by letter and/ or email. An electronic copy (on CD) of all documents was sent to Specific and General Consultees as specified in the Delivery Agreement, and to the Environmental Consultation bodies.

8.11 Notice of the Focussed Changes consultation period was given by local advertisement in the Brecon & Radnor Express on the 28th January 2016 and in the County Times on the 29th January 2016. Press releases were also submitted to these and other local newspapers and published.

Summary of Focussed Changes Representations Received

8.12 In total, the Council received 209 representations during the Focussed Changes consultation period from 68 individuals and organisations (representors). All of the representations received, together with the Council's recommended response to the Planning Inspector are included within Appendix 4 to this report. (N.B. A small number of representations were treated as 'not duly made' and the Council has considered these). The representations and draft Council responses were considered by the LDP Working group at its meeting on 6th April 2016, and approved by the Council's Cabinet via a Delegated Portfolio Holder Decision on the X^xth April, 2016.

8.13 A breakdown of the representations by document is shown in the table below.

Consultation Document	No. of Representations received
LDP Schedule of Focussed Changes	209
Habitat Regulations Assessment	0
Strategic Environmental Assessment	0
Sustainability Appraisal Report	0
Total	209

Summary of Main Issues Raised in Representations and Council's response and recommendations

8.14 The table below provides an overview of the Representations received according to the LDPs Main Issues. For each they have been broken down to show the numbers that were made as Objections, in Support, as a Comment, or considered to be Not Duly Made.

	Main Issues	Total number of Representations Received	Not Duly Made	Objection	Comment	Support
1	Preparation, Process and Plan Strategy	14	1	9	2	2
2	Housing distribution and numbers	14	1	9	3	1
3	Housing Delivery and Infrastructure	5	1	1	3	
4	Housing – Affordable Housing	7		6		1
5	Other Specialist Housing and Gypsy and Travellers	1		1		
6	Transport and Community Facilities	5	1	3	1	
7	Employment, Retail and Tourism	26	2	12	7	5
8	Minerals, Waste and Renewable Energy	11		8	1	2
9	Development Management and the Environment	53	2	34	7	10
10	Welsh Language and Culture	6		5	1	
11	Allocated Sites	65	4	13	24	24
12	Alternative Sites	0				
13	Plan Monitoring and Review	2		2		
14	Miscellaneous	0				
	TOTAL	209	12	103	49	45

8.15 In brief, the representations raised a variety of matters including:

- The LDP's proposed dwelling requirement and the deliverability and viability of housing allocations, the contingency / flexibility allowance and the need to demonstrate a 5 year supply of housing land.
- Affordable housing requirements/targets particularly in the South West and Rural North of the County.
- Concerns about the wording for aspects of the new Development Management policy section.
- Gypsy and traveller site provision to meet identified needs and the deliverability of provision.
- The quantity of employment land allocated, the viability, deliverability and sequential site selection of these sites.
- Tourism, particularly the Montgomery Canal and the tensions between its future restoration/development and environmental designations.

- Renewable Energy and Low Carbon Technology potential to be shown spatially on the Proposals Maps, as well as concern about the scope of the Targets.
- Objections and supporting representations relating to a small number of site allocations.

8.16 In response to the representations received the Council has undertaken to carry out some additional work to reinforce existing evidence in order to make it more robust including the following areas:

- Housing Provision - clarification, and updating, of the local factors that have had a significant influence upon determining the overall Dwelling Requirement Figure.
- Housing Deliverability - clarification of the factors that are influencing housing viability.
- Affordable Housing Provision - based on the outcomes of the above, a further clarification of the Affordable Housing targets.
- Renewable Energy - Updating the Renewable Energy Assessment (2012) (EB17), to include spatial representations for both wind and solar potential across the county. This work will also provide an opportunity to re-assess the targets to ensure they are based on up to date and accurate figures.

8.17 The Council has an electronic database (LDPbase) which has been used for recording all representations on the LDP and the Council's responses to those representations. All of the representations received, together with the Council's recommended response to the Planning Inspector are presented as Appendix 4 to this report (published separately). Representors, and members of the public, can also view the Focussed Changes representations and the Council responses by clicking on the Ref Points in the online Composite Version of the LDP (LDP034).

9. Compliance with the Community Involvement Scheme

9.1 As required by Regulation 5 of the Town & Country Planning (Local Development Plan) (Wales) Regulations 2005 (as amended), Powys County Council's LDP has been prepared in accordance with the agreed LDP Delivery Agreement. From the outset Powys County Council has engaged fully with the 'specific' and 'general' consultation bodies identified in Appendix 3 and 4 of the agreed Delivery Agreement. The Council has sought to engage with all sections of the community, including those groups who have not traditionally participated in plan making. In doing so, the Council have utilised the principles and methods of community engagement identified in the Community Involvement Scheme. As part of this process, all relevant consultation and participation procedures set out in the Community Involvement Scheme have been undertaken without the need for deviation.

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by: Representation No

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LDP Document: 39 FC - Schedule of Focussed Changes An Addendum to the Powys Local Development Plan, Deposit Draft (

RefPoint: 39.1 Executive Summary FC1, FC2, FC3

78 Home Builders Federation Ltd

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

78.F1 11/03/2016 Summary: Executive Summary FC2

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.5

Issue: 2015: Deposit Draft-02. Housing - Distribution and Numbers

Question Representation Texts

Question: Council Response

Representation Texts: Your comments are noted. However, following representations on the Schedule of Focussed Changes including those made by Welsh Government and the points raised by the Inspector in her letter of 5 April 2016, the Council is producing further work to more clearly explain the rationale behind the housing requirement and housing provision figures as published in the Deposit Plan and the subsequent revised figures as published in the Focussed Changes Schedule.

Please note that any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response:

0

Question: 1 Representation Details

Representation Texts: HBF object to the reduction in the number of dwellings required by 1019 (18%) and an increase in the affordable requirement by 213 dwellings (20%) as we can see no sound justification for such a change.
The impact of the change will be to reduce the overall number of private market houses which can be built.

The Councils Population and Housing Topic Paper ADDENDUM January 2016 justifies this change at para. 5.1 where it states 'the Council recognises that the housing requirement has been significantly reduced due to the requirement for a five year land supply to be demonstrated'. The HBF object to this approach as the housing requirement should not be controlled by the need to provide a 5 year land supply. The 5 year land supply is a method for monitoring the success of a plans delivery of housing and to ensure that adequate land is available for the construction of homes to meet the identified need in the area over a five year period and not the whole plan period.

The HBF would refer to TAN1 which refers to the JHLAS on a number of occasions:

Para.2.1 it states ' The planning system, through the LDP process, must provide the land that is needed to allow for new home building and Local planning authorities are required to ensure that sufficient land is genuinely available to provide a 5 year supply of land for housing.

Para 2.3 to say ...housing land availability needs to be soundly based on meeting the housing requirements identified by the local planning authorities....

Para 2.4 The JHLAS is an extremely important piece of evidence which should inform LDP strategies, policies and allocations and is a key mechanism for monitoring the effectiveness of the LDP.

Para. 3.2 it states ... local planning authorities are required to demonstrate that there is a five year housing land supply at the time the plan is adopted and the latest approved JHLAs can be used as an important piece of evidence.

The HBF contend that the approach taken by Powys in using future five year land supply calculations to justify a reduction in housing numbers in order to ensure a 5 year land

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

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Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

78.F1 11/03/2016 Summary: Executive Summary FC2

Source: Type: **Objection** Mode: **Oral (Examination)** Status: **Maintained**

supply is maintained is contrary to the advice in TAN1 identified above and therefore makes the plan unsound.

The Population and Housing Topic Paper ADDENDUM January 2016 goes on to discuss in more detail the reason for this reduction and comments on:

Reality of house building /past build rates- The HBF object to the approach of basing future figures on the past figures particular a time period when there was known to have been a very deep recession in the house building industry. This is not the best way to plan for the future, an LDP should be an aspirational document and aim for growth to help support the Council, economically and socially. Although many parts of Powys are less likely to attract volume house builders the HBF consider there is still a healthy housing market if the right size sites/located sites are allocated. Restricting the level of house building unnecessarily has no positive benefit for the Council.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Justify the reduction in the housing requirement figure.

Justify the increase in the affordable Housing figure (see comments to FC24).

If neither of these can be done to the satisfaction of the Inspector then amend the plan to reinstate the pre focused changes housing requirement figure.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: I wish to be able to speak about the objection I have raised above in the inquiry as it enables the issue to be discussed between all parties.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Objection to the change in housing numbers.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

542 Abermule (with) Llandyssil Community Council

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

542.F1 11/03/2016 Summary: Executive Summary FC2

Source: Post or in person Type: Comment Mode Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.5

Issue: 2015: Deposit Draft-02. Housing - Distribution and Numbers

Question Representation Texts

Question: Council Response

Representation Texts: The comments made in support of the recalculation of the housing land allocation the proportionate increase in local needs housing are noted. However, the Representor also requests the housing allocation number for Cefn-Y-Coed, Abermule (P02 HA2) to be reduced, in light of the reduced housing requirement. The Council set out the reason for maintaining the allocation of this site, and in particular the inclusion of the land adjacent Parkside, in it's response to the deposit representation made by this Representor (reference 542.V27). The Council maintains that the size of the allocation should not be changed and that the land at Parkside should be included in order to enable the required highway improvements to be carried out. This matter will be considered by the Independent Planning Inspector conducting the examination into the soundness of the Powys LDP. It should also be noted that we are undertaking further work on the housing requirement and provision figures, and that the findings and any recommendations relating to this will be available in due course. This matter will be considered by the Independent Planning Inspector conducting the examination into the soundness of the Powys LDP.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Both the recalculation of the housing land allocation based on current data and the proportionate increase in local needs housing are welcome. Given the reduced requirement the Community Council would request consideration of a lower allocation of houses for the Cefn y Coed road (Abermule). As indicated in our previous consultation responses, location, access and highway safety are all issues here although two or three small housing clusters, including local needs, could potentially be accommodated satisfactorily and would be in keeping with existing housing. Numbers as currently proposed would, in combination with housing on other identified sites, unduly increase the overall size of a village with limited infrastructure and facilities and could adversely impact on traffic and the nature of the village.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Consider reduction of the housing numbers for site allocation on the Cefn y Coed Road, Abermule (P02 HA2?) in response to overall reduced housing requirement for Powys LDP.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Comment on the overall housing numbers for Abermule - constraints associated with allocated site/settlement infrastructure justify a reduced housing figure for the allocation at Cefn y Coed road, Abermule.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

2213 National Grid

Agent: **Amec Foster Wheeler**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

2213.F1 10/03/2016 Summary: Executive Summary FC1, FC2, FC3

Source: Type: Comment Mode Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.5

Issue: 2015: Deposit Draft-01. Preparation, Process and Plan Strategy

Question Representation Texts

Question: Council Response

Representation Texts: Noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: We have reviewed the above consultation document and can confirm that National Grid has no comments to make in response to this consultation.

Council Response: 0

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Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6147 Herefordshire Council

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6147.F1 11/02/2016 Summary: All Focussed Changes

Source: Email Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.5

Issue: 2015: Deposit Draft-01. Preparation, Process and Plan Strategy

Question Representation Texts

Question: Council Response

Representation Texts: Support for the Focussed Changes is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Herefordshire Council supports the Focussed Changes proposed to the Deposit Powys Local Development Plan 2015.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: No changes proposed.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Support the Focussed Changes

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6210 , **The Bowker Family**

Agent: **Pegasus Group**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6210.F1 11/03/2016 Summary: Executive Summary FC2

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.5

Issue: 2015: Deposit Draft-04. Housing - Affordable Housing

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments which are noted. However, following representations on the Schedule of Focussed Changes including those made by Welsh Government and the points raised by the Inspector in her letter of 5 April 2016 the Council is producing further work to more clearly explain the rationale behind the housing requirement and housing provision figures and is also undertaking a review of the Viability Study. These topics are clearly linked to the Plan's strategy for the delivery of affordable housing which the Council will also need to clarify in updated papers in due course.

Please note that any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response:

0

Question: 1 Representation Details

Representation Texts: Objections are made in respect of the housng requirement, the affordable houslig requirement and the distribution of housing. Council note - logged as F1 to F3.

FC2 and resultant changes (namely FC12):

Planning Policy for Wales requires that housing requirements are informed by a local Housing Market Assessment (LHMA). Technical Advice Note (TAN) 2 identifies that the IRMA should "cover the whole housing market by considering the requirement for both market and affordable housing".

A LHMA Update was produced for Powys in March 2015, which Identified a need for 153 affordable homes per annum (which equates to 2,295 over 15 years). However, the LDP proposes only 1,257 affordable homes as this is as many as can be delivered from the identified supply. The proposed affordable housing requirement in Powys does not therefore meet the identified affordable housing requirement for Powys by a very large margin. This clearly supports an increase to the housing requirement to ensure that there is sufficient supply to respond to a greater element of the significant affordable needs.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: The affordable housing requirement proposed in Focussed Change 2 and all resultant changes are not

Consultation Report Appendix 4: FC Representations & Council Responses

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Status	Modified	Summary
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6210.F1		11/03/2016	<input type="checkbox"/>			Summary: Executive Summary FC2
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Source:	Type: Objection	Mode: Oral (Examination)	Status: Maintained
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sound and as a result Focussed Change 2 and resultant changes should be dropped, such that an affordable housing requirement which better reflects the identified housing needs of Powys remains in the LDP.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: Pegasus Group wish to speak at the examination to explore the consequences of adopting an affordable housing requirement which does not respond to the identified affordable needs.

Council Response: 0

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Status	Modified	Summary
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6210.F3		11/03/2016	<input type="checkbox"/>			Summary: Executive Summary FC2
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Source:	Type: Objection	Mode: Oral (Examination)	Status: Maintained
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Document:FC - Schedule of Focussed Changes Jan 2016, p.5

Issue: 2015: Deposit Draft-02. Housing - Distribution and Numbers

Question	Representation Texts
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Question: Council Response

Representation Texts: Thank you for your comments which are noted. However, following representations on the Schedule of Focussed Changes including those made by Welsh Government and the points raised by the Inspector in her letter of 5 April 2016, the Council is producing further work to more clearly explain the rationale behind the housing requirement and housing provision figures as published in the Deposit Plan and the subsequent revised figures as published in the Focussed Changes Schedule. This work will include clarification on the contingency/flexibility allowances.

Please note that any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response: 0

Question: 1 Representation Details

Representation Texts: FC2 and resultant changes (namely FC7, FC11 and FC22)

Planning Policy for Wales requires that Local Development Plans are aspirational but realistic. In order to achieve this it requires that housing requirements are informed by a Local Housing Market

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6210.F3 11/03/2016 Summary: Executive Summary FC2

Source: Type: Objection Mode Oral (Examination) Status Maintained

Assessment (LHMA) which takes account of local housing requirements, the needs of the local and national economy, and social considerations (amongst other things). The starting point must therefore be to assess what the local housing requirements are, taking account of these factors and seek to provide for these in full.

Technical Advice Note (TAN) 2 Identifies that the LHMA should “cover the whole housing market by considering the requirement for both market and affordable housing” and that “Local planning authorities should ensure that development plan policies are based on an up-to-date assessment of the full range of housing requirement across the plan area over the plan period.”

A LHMA was produced in August 2010 which considered the requirement for both market and affordable housing. This recommended a housing requirement of 885 dwellings per annum (dpa) across Powys of which 728dpa should be in the Powys Unitary Area (equating to 10,920 over 15 years).

A subsequent LHMA Update was produced for Powys in March 2015, which identified the needs for affordable housing only. It did not assess the local housing requirements for market housing nor did it consider the economic needs and so does not provide a LHMA in accordance with TAN 2. Powys Council has sought to address this by the publication of a Population and Housing Background Paper 2015 (and a subsequent update in 2016) and through the pre-existing Employment Needs Assessment.

The 2015 Background Paper proposed a housing requirement which took account of the Welsh Government Household Projections but sought to address (at least partially) the fact that these reflected recessionary trends. It did this by proposing a figure between the principal projection (which reflected the recessionary trends) and the 10 year migration trends projection (which dilutes these trends). However, this is still unduly representative of recessionary trends by not providing for the full 10 year migration trends projection.

indeed, the Welsh Government advised in the letter of 14th April 2014 that the 2011 based principal projections were based on recessionary trends and that whilst these should form the starting point for assessing housing requirements they are not an end in themselves. The Welsh Government accordingly produced the 10 year migration trends projection which dilute the effects of the recession by assuming an average of trends which had been experienced in both the pre-recession and recessionary years. As a result of the advice from the Welsh Government it is clearly these which should be afforded greater weight. Nevertheless, the housing requirement proposed by the 2015 Background Paper does not meet these projections in full, although it did make significant steps towards these and so no objections were submitted on behalf of the Bowker Family at this stage.

However, the 2016 Background Paper now seeks to retract from the position and proposes a housing requirement which is significantly below that proposed in the 2015 Paper. This amendment has been proposed solely in order that the Council can demonstrate a five year land supply in response to TAN 1. However TAN 1 requires that “the homes which are needed are delivered” and this should not be compromised in order to demonstrate a five year supply.

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6210.F3 11/03/2016 Summary: Executive Summary FC2

Source: Type: Objection Mode Oral (Examination) Status Maintained

This reduction is fundamentally unsound. TAN 1 requires that a five year land supply is demonstrated, but this should not be achieved at the expense of delivering the required amount of housing to respond to local needs as identified in the 2015 Background Paper (although recognising that this does not take account of economic needs). To do so would result in the LDP aiming to fall, such that it would not be effective in delivering housing in response to the identified needs (and so would not deliver) and that it would not be aspirational in accordance with national policy including TAN1 and TAN 2 (and would not fit). The proper response to an insufficient five year land supply should be to identify further sources of supply (including additional allocations) to provide for the identified housing needs in the short-term.

Furthermore, paragraph 6.3 of the Powys Housing Provision and Delivery of New Housing Update identifies that there will be a 7.1 year land supply at the time of adoption. This clearly indicates that based on the evidence of the Council there is no need to reduce the housing requirement to the proposed figure of 4,500 as the Council could demonstrate a 5 year supply with a significantly greater housing requirement, which would also provide for a greater proportion (although by no means all) of the local housing needs. Indeed, the identified supply could support a housing requirement of 5,654 homes and still demonstrate a five year supply based on the Council's evidence. As a result the Council's justification for the reduced housing requirement of 4,500 homes simply does not stand up to scrutiny.

Despite the proposed very significant reduction to the housing requirement, Powys Council have increased the housing provision within the LDP from 6,071 to 6,129 homes. This supply figure is calculated based upon existing commitments, a windfall allowance and the proposed allocations (as set out in the Population and Housing Background Paper 2016). The proposed allocations provide for 2,773 homes of the total supply. In order to justify these allocations, the Council must consider them to be deliverable as confirmed in paragraph 1.4 of the Population and Housing Background Paper 2016. The windfall allowance has been agreed by the Study Group and so the Council must also assume this to be deliverable. These two sources of supply add to 3,733 homes which means that Powys Council assume that only 767 of the 2,396 homes subject to commitments will deliver to meet the proposed housing requirement of 4,500 homes. This equates to an implementation rate of only 32% which is clearly a very negative assumption. Indeed, based on experience elsewhere circa 80%-90% of sites deliver across a plan period. Even if the most negative of these (80%) was assumed in Powys then the LDP would deliver 5,650 homes (assuming that all of the sites considered by the Council did deliver). The result of this is that the LDP now proposes a housing requirement of only 4,500 as the Council argue that any increase above this would be unrealistic, despite the fact that the Council consider that a five year land supply could be demonstrated against a housing requirement of 5,650 homes and that the LDP provides for a level of housing that is likely to deliver circa 5,650 homes (if the Council's assumptions on windfall and allocations are borne out). As a result, the previously proposed housing requirement of 5,519 homes could be comfortably delivered. This is a fundamental failing of the focussed changes, in that the Council argue that the previous housing requirement of 5,519 homes is not realistic on the one hand but then also demonstrate that significantly in excess of this number are able to be delivered across the five year period and across the plan period.

The Population and Housing Background Paper 2016 repeatedly refers to the 6,129 homes as providing flexibility above and beyond the housing requirement, to ensure that the

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6210.F3 11/03/2016 Summary: Executive Summary FC2

Source: Type: Objection Mode Oral (Examination) Status Maintained

LDP provides a sufficient number and choice of sites which can be developed. This assumes that some of the 6,129 homes will fail to deliver. However, according to the Council's evidence the only element of supply that can be assumed to fail to deliver are the existing commitments. Based on the previous analysis even with a negative assumption of the deliverability of existing commitments a much higher housing requirement should be supported which would better respond to the identified housing needs.

The Council currently argue that it is appropriate to have a very low housing requirement (4,500) in order to artificially inflate the five year land supply providing that delivery is still forthcoming at an appropriate level (up to 6,129) across the plan period. However, this is a negative strategy as it provides no contingency for any sites which don't deliver. Indeed, if the housing requirement of 4,500 were adopted to respond to the identified needs of 5,519 homes and justified on the basis that the current supply is likely to deliver 5,650 dwellings in any case (based on the preceding analysis), this provides no contingency to ensure the delivery of the required 5,519 homes to meet the identified needs. Indeed, under this strategy it would be inferred to be acceptable to not meet the identified needs of 5,519 homes (over five years or the plan period) despite the fact that the Council's evidence indicates that this could be achieved (with a surplus of over 100 homes). Instead, the housing requirement should provide for the full housing needs which the Council's evidence indicate is likely to be met in any case in accordance with paragraphs 2.3 of TAN 1 and 8.1 of TAN 2. This would ensure that an appropriate number of homes were delivered.

Indeed, the Sustainability Appraisal (January 2016) makes reference to the provision of 6,129 homes, which by the Council's own evidence will not be delivered, it is not clear whether the Sustainability Appraisal has actually considered the effects of 4,500 homes (as proposed by the LDP) or 6,129 homes (which the Council do not consider will be achieved). This will be significant to the conclusions of the Sustainability Appraisal. Furthermore, and most critically the Sustainability Appraisal has not tested any reasonable alternatives of adopting different housing requirements, including that previously proposed. Therefore, the sustainability credentials of adopting a housing requirement which responds to the identified needs and is deliverable on the Council's evidence has not been assessed compared to a housing requirement which accepts that the needs may not be delivered, nor has any alternative.

The Affordable Housing Update confirms that there is a need for 153 affordable homes per annum which equates to a need for 2,295 affordable homes over the 15 year plan period. However, the LDP proposes only 1,257 affordable homes as this is as many as can be delivered from the identified supply. It is therefore accepted that the full affordable needs will not be provided for by the proposed housing which the Council itself consider will be subject to very significant levels of non-implementation and so the result would be that even this limited affordable provision would not be delivered. This clearly supports an increase to the housing requirement to ensure that there is sufficient supply to respond to a greater element of the significant affordable needs

The housing requirement of the LDP is acknowledged to result in a decline in the number of jobs within Powys (within the Employment Needs Assessment). This is an especially significant issue in Powys where the population is projected to decline as well as age. The result of not providing enough homes to support the economy is likely to result in an elderly population without a sufficient workforce to support the existing (let alone an increased) level of services, with inevitable adverse effects on the availability of such services which will be required to support increasingly vulnerable communities.

Indeed, this factor is recognised in the Key issues and Considerations of the LDP but then is ignored in ensuring that the LDP delivers enough homes to support the community. The effect of not even assessing the economic led needs is likely to result in the LDP failing to deliver and being ineffective in addressing the Key Issues.

The Housing Provision and Delivery of Housing Update suggests that there is a low demand for housing in Powys and as such increased levels of delivery could not be achieved. However, there are omission sites which have not been included in the LDP, which are being actively pursued for development. It would be very difficult to sustain an argument that there is low demand when there are developers seeking to build on these omission sites but being prevented from doing so by the planning system. These sites clearly provide an opportunity to support additional delivery which will respond to the identified needs in sustainable locations such as the Large Village of Four Crosses.

The Council also argue in the Population and Housing Background Paper 2016 that migration levels have been much lower according to the mid-year estimates in 2013 and 2014 than assumed in the Welsh Government projections and infer from this that the projections are likely to over-estimate population growth (although in Powys these already project a population decline) and household growth. The first point to note on this is that the Council are using mid-year estimates, which are unreliable (indeed it is these that have resulted in the significant levels of unattributable population change experienced in the recent past nationally). They are estimates, which are indicative of the population change

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6210.F3 11/03/2016 Summary: Executive Summary FC2

Source: Type: Objection Mode Oral (Examination) Status Maintained

but should not be afforded undue weight.

The second and most critical point is that the level of net in-migration experienced will be heavily influenced by the availability of housing in an area as compared to other areas. If there are insufficient houses available for migrants to move into, then these migrants will be forced to access accommodation in other areas which may not meet their needs sustainably. This is likely to result in significant increases to unsustainable commuting flows and defers Powys' housing needs to be picked up by other authorities. Indeed, paragraph 5.10 of the Housing Provision and Delivery of New Housing Update identifies that there has been a shortfall of housing provision over the period 2011-15 and this will have reduced the supply of housing which will have therefore had a negative effect on in-migration. Furthermore, as a result of LDPs being adopted in nearby areas in recent years, which have increased the supply of housing in those areas, this will also have negatively affected migration flows to Powys unsustainably. Indeed, the current migration trends are reflective of the needs of Powys being met in other authorities as a result of under-supply in Powys.

Therefore, these estimated trends of migration rates over recent years are a product of the lack of supply and should not be taken as being indicative of the demand or need for housing in Powys. To assume these (or similar rates) across the plan period would result in a self-fulfilling prophesy such that as Powys has failed to supply housing, population growth has been constrained and therefore using these trends means that there is a lower need for new housing. This cycle would continue indefinitely, such that the housing needs of Powys would never be met.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: The revised housing requirement proposed In Focussed Change 2 and all resultant changes are not sound and as a result Focussed Change 2 and resultant changes should be dropped, such that a housing requirement which better reflects the identified housing needs of Powys remains in the LDP.

Council Response:

0

Question: 3 Reason for request to speak at hearing

Representation Texts: Pegasus Group wish to speak at the examination to explore how the currently proposed housing requirement meets the needs of Powys and whether these have been robustly tested through the Sustainablilty Appraisal.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6235 CPRW Brecon & Radnor and Montgomery

Agent: **CPRW Brecon & Radnor**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F1 11/03/2016 Summary: Executive Summary FC2

Source: Email Type: Comment Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.5

Issue: 2015: Deposit Draft-02. Housing - Distribution and Numbers

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments which are noted. However, following representations on the Schedule of Focussed Changes including those made by Welsh Government and the points raised by the Inspector in her letter of 5 April 2016, the Council is producing further work to more clearly explain the rationale behind the housing requirement and housing provision figures as published in the Deposit Plan and the subsequent revised figures as published in the Focussed Changes Schedule.

Please note that any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response: 0

Question: 1 Representation Details

Representation Texts: The reassessment of housing need is timely to ensure targets are accurate and the proportionate increase in affordable homes is welcomed. The apparent downwards revision of figures could reduce some of the excessively large allocations in housing sites in large villages and towns where there is very limited infrastructure and adverse impacts have already been identified on Registered Historic Landscapes (e.g. Montgomery). However we are not convinced that the final housing allocation figures are correct: see FC11

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Review of FC11 required

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: Review of FC11 required

Council Response: 0

Question: 4 Summary of Representation

Representation Texts:

Council Response: 0

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

<i>Rep'n/Para/Policy</i>	<i>AccessnNo</i>	<i>DateLodgd</i>	<i>Late?</i>	<i>Status</i>	<i>Modified</i>	<i>Summary</i>
6235.F2		11/03/2016	<input type="checkbox"/>			Summary: Executive Summary FC3

Source:	Type: Support	Mode: Written	Status: Maintained
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Document:FC - Schedule of Focussed Changes Jan 2016, p.5

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question *Representation Texts*

Question: Council Response

Representation Texts: This comment showing support for the Focussed Change is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: The rewording of this paragraph to include reference to the more inclusive term 'historic environment' is welcome.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: The rewording of this paragraph to include reference to the more inclusive 'historic environment' is welcome

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6315 Natural Resources Wales

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6315.F1 11/03/2016 Summary: Executive Summary FC2, Housing and Employment Numbers

Source: Email Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.5

Issue: 2015: Deposit Draft-02. Housing - Distribution and Numbers

Question Representation Texts

Question: Council Response

Representation Texts: Thanks for your comment, your support for the Focussed Change is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Focussed Change FC3 We welcome that the proposed number housing and employment land allocations have been decreased. It is considered that this reflects a more realistic anticipated deliver of both housing and employment development within the plan period, reflecting the UDP take up rates.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Support for Focussed Change FC2.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6417 Cymdeithas Yr Iaith Gyрмаeg

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6417.F2//H4 11/03/2016 Summary: Executive Summary FC2

Source: Email Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.47

Policy: H4

Issue: 2015: Deposit Draft-04. Housing - Affordable Housing

Question Representation Texts

Question: Council Response

Representation Texts: Mae'r cynrychiolaeth hwn yn gefnogol o gyfrannau tai fforddiadwy y Cynllun.

This representation is supportive of the affordable housing proportions of the Plan.

Council Response:

0

Question: 1 Representation Details

Representation Texts: Rydym yn croesawu'r cynnydd yn y gyfran o dai fforddiadwy a awgrymir.

We welcome the increase in the proportion of affordable houses that is suggested.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Ddim yn gymwys.

N/A.

Council Response:

0

Question: 4 Summary of Representation

Representation Texts: Mae'r cynrychiolaeth hwn yn croesawu'r cynnydd yn y gyfran o dai fforddiadwy a awgrymir.

This representation welcomes the increase in the proportion of affordable housing suggested.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.3 The LDPs Context. FC4, FC5

6192 Gardiner, Mr Ben

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6192.F2 10/03/2016 Summary: The LDPs Context, FC5

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.5

Issue: 2015: Deposit Draft-10. Welsh Language and Culture and Heritage

Question Representation Texts

Question: Council Response

Representation Texts: Policy DM14 will apply to all housing developments in Llanfyllin that include 10 dwellings or more, this will include the requirement for a Language Action Plan to set out the measures to be taken to protect, promote and enhance Welsh Language and Culture.

Council Response: 0

Question: 1 Representation Details

Representation Texts: 2.2.8a Welsh Language and culture. The development site at Llanfyllin has no local need so by implication people from the other side of the border or the other side of the world are to be attracted to this 'Welsh speaking stronghold'. This runs counter to paragraph 2.2.8a

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Contradiction between paragraph 2.28a and Llanfyllin

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6235 CPRW Brecon & Radnor and Montgomery

Agent: **CPRW Brecon & Radnor**

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6235.F3 11/03/2016 Summary: The LDPs Context. FC4

Source: Email

Type: Comment

Mode Written

Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.5

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: This comment showing support for the Focussed Change is noted. Several SPG's are proposed relating to the historic environment.

Council Response:

0

Question: 1 Representation Details

Representation Texts: The detailed consideration now given to cultural heritage is welcomed along with the DM policies to support protection. We trust robust SPGs will follow to ensure implementation.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response:

0

Question: 4 Summary of Representation

Representation Texts: The detailed consideration now given to cultural heritage is welcomed along with the DM policies to support protection. We trust robust SPGs will follow to ensure implementation.

Council Response:

0

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6417 Cymdeithas Yr Iaith Gymraeg

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6417.F6//DM14 11/03/2016 Summary: The LDPs Context.FC5

Source: Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.35

Policy: DM14

Issue: 2015: Deposit Draft-10. Welsh Language and Culture and Heritage

Question Representation Texts

Question: Council Response

Representation Texts: Nodwyd y sylwadau hyn mewn perthynas â pherthnasedd yr iaith Gymraeg, a nifer y siaradwyr Cymraeg o fewn ardaloedd y tu allan i'r rheini a ddynodwyd o fewn polisi DM14. Mae'r polisi yn cyfeirio at ardaloedd a ystyriwyd i fod yn gadarnleoedd yr iaith Gymraeg, a ddiffinnir fel ardaloedd Cynghorau Cymuned lle mae mwy na 25% o'r boblogaeth yn siarad Cymraeg. Efallai fod ardaloedd eraill gyda niferoedd mwy o siaradwyr Cymraeg; fodd bynnag, maent yn cynrychioli cyfran lai o'r boblogaeth o fewn cymunedau hynny. Mae'r iaith Gymraeg yn rhan arwyddocaol o ffabrig cymdeithasol cadarnleoedd y Gymraeg ac mae'r ardaloedd hynny hefyd wedi dangos y gostyngiad mwyaf sylweddol yn nifer y siaradwyr Cymraeg yn ystod y degawdau diwethaf. Oherwydd hynny, maent felly'n cael eu hystyried i fod yn arbennig o sensitif i ddatblygiadau mawr newydd. Lle bo safleoedd mawr ar hap sydd heb eu rhagweld gan y Cynllun gyda'r potensial i gael effaith ar yr iaith Gymraeg yn cael eu cynnig, efallai y byddai'n briodol gofyn am gynnal asesiad effaith iaith yn ystod y cam cyflwyno cais cynllunio, fel sy'n cael ei gynghori o fewn y drafft ymgynghori diwygiedig o Nodyn Cyngor Technegol (TAN) 20. Gellir cyflwyno'r posibilrwydd o ystyried hyn o fewn y cyfiawnhad ategol i bolisi DM14 trwy ychwanegu'r frawddeg ganlynol ar ddiwedd paragraff 4.2.5. 'Efallai hefyd y byddai'n briodol gofyn am asesiad effaith iaith mewn cysylltiad â datblygiadau cymhleth ar hap y tu allan i gadarnleoedd y Gymraeg'. Gan ystyried yr uchod, nid yw'r Cyngor yn ystyried bod angen cynnwys ardaloedd eraill o fewn y diffiniad polisi o Gadarnleoedd yr Iaith Gymraeg.

Nodwyd y cais i gynnwys yr iaith Gymraeg ar arwyddion y tu allan i Gadarnleoedd yr iaith Gymraeg. Tra gellir hyrwyddo hyn ar draws y Sir gan y Cynllun Datblygu Lleol, dim ond er mwyn diogelu cymeriad ieithyddol lleol, traddodiadau ac i hyrwyddo nodweddion diwylliannol y bydd hi'n cael ei ystyried yn angenrheidiol i ofyn am gynnwys y Gymraeg ar arwyddion o fewn Cadarnleoedd yr Iaith Gymraeg.

These comments in relation to the relevance of the Welsh language to, and number of Welsh speakers within, areas outside those identified within policy DM14 are noted. This policy refers to areas that are considered to be Welsh language strongholds, which are defined as Community Council areas where more than 25% of the population speak Welsh. Other areas may have larger numbers of Welsh speakers, however they represent a smaller proportion of the population within those communities. The Welsh language is a significant part of the social fabric of Welsh language strongholds and these areas have also shown the most significant decreases in the number of Welsh speakers in recent decades, and therefore they are considered to be particularly sensitive to new large developments. Where large windfall sites that were not anticipated by the Plan and that have the potential to impact on the Welsh language are proposed, it may be appropriate to require a language impact assessment to be carried out at the planning application stage, as is advised within the revised consultation draft of TAN20. The scope for considering this could be provided within the supporting justification to policy DM14 by adding the following sentence at the end of para 4.2.5. 'It may also be appropriate to require a language impact assessment in connection with exceptionally large or complex windfall developments outside the Welsh language strongholds'. In view of the above, the Council does not consider that there is a need to include other areas within the policy definition of the Welsh Language Strongholds.

The request for the Welsh language to be included on signage outside the Welsh Language Strongholds is noted. Whilst such could be promoted across the County by the Local Development Plan, it is only considered necessary to require the inclusion of Welsh on signage within Welsh Language Strongholds in order to protect their local linguistic character, tradition and to promote cultural distinctiveness.

Council Response:

0

Question: 1 Representation Details

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6417.F6//DM14 11/03/2016 Summary: The LDPs Context.FC5

Source: Type: Objection Mode Written Status Maintained

Representation Texts: Tra'n croesawu cydnabod sensitifrwydd ieithyddol ardaloedd o Bowys (e.e. FC5) - dylid cydnabod yn ogystal fod y Gymraeg yn perthyn i bob rhan o'r Sir. Mae rhagor o siaradwyr Cymraeg yn byw mewn cymunedau tu allan i'r ardaloedd o sensitifrwydd ieithyddol na'r nifer o'u mewn, ac felly mae'r Gymraeg hefyd yn ffactor cynllunio mewn llefydd fel y Drenewydd, ac yn wir ymhob rhan o'r Sir.

Golyga hyn bod angen ym mhob achlysur sicrhau bod y Gymraeg yn amod ar bob arwydd/datblygiad masnachol newydd yn yr ardaloedd tu allan i'r ardaloedd o sensitifrwydd ieithyddol.

Whilst we welcome the recognition of the linguistic sensitivity of areas of Powys (e.g. FC5) – it should also be recognised that the Welsh language is relevant to every part of the County. There are more Welsh speakers living in communities outside the areas of linguistic sensitivity than the number within, and therefore the Welsh language is also a planning factor in areas such as Newtown and indeed every part of the County.

This means that the Welsh language needs to be a condition for every new sign/ commercial development in areas outside the areas of linguistic sensitivity.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Dylid cydnabod bod y Gymraeg yn perthyn i bob rhan o'r Sir a ddyllir ei ystyried yn ffactor cynllunio ym mhob rhan o'r Sir.

Sicrhau bod y Gymraeg yn amod ar bob arwydd datblygiad tu allan i'r ardaloedd o sensitifrwydd ieithyddol.

It should be recognised that Welsh belongs to all parts of the County and it should be considered as a planning facotr yn all parts of the County.

The Welsh language should be a condition for every new sign/ commercial development in areas outside the areas of linguistic sensitivity.

Council Response:

0

Question: 4 Summary of Representation

Representation Texts: Gwrthwynebiad gan y dylid cydnabod bod y Gymraeg yn perthyn i'r Sir cyfan a dylid ei ystyried yn ffactor cynllunio ym mhob rhan o'r Sir. Hefyd, ystyrir y dylai'r Gymraeg fod yn amod ar bob arwydd/datblygiad masnachol newydd yn yr ardaloedd tu allan i'r ardaloedd o sensitifrwydd ieithyddol

Objection as it should be recognised that Welsh belongs to the whole of the County and that it should be considered as a planning factor in all parts of the County. Also, it is considered that the Welsh language should be a condition for every new sign/ commercial development in areas outside the areas of linguistic sensitivity.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.5 Our Vision of Powys 2026 FC6

6235 CPRW Brecon & Radnor and Montgomery

Agent: **CPRW Brecon & Radnor**

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6235.F4/3.2.1/ 11/03/2016 Summary: Our Vision of Powys 2026 FC6

Source: Email

Type: Comment

Mode Written

Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.6,
para.3.2.1

Issue: 2015: Deposit Draft-01. Preparation, Process and Plan Strategy

Question Representation Texts

Question: Council Response

Representation Texts: Thanks for your comment, your support for the Focussed Change is noted. The suggested amendment to the first sentence of LDP Objective 5 (FC8) does not relate to text subject to a proposed Focussed Change, but in any xase landscape would be addressed through the environmental impacts already referred to.

Council Response:

0

Question: 1 Representation Details

Representation Texts: We commend Powys for recognising the importance of our outstanding and varied landscapes to residents, the tourist economy and future generations and that landscape merits a topic in its own right. This greater importance afforded now requires detailed expansion to prevent any possible doubt about the Council's will to implement landscape policy. For example in FC8 this statement should be strengthened by inserting landscape i.e. 'acceptable in terms of landscape, economy ...'

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Review of FC8 required.

Council Response:

0

Question: 4 Summary of Representation

Representation Texts: Support FC6 inclusion of landscapes in the vision. But that FC8 needs strengthening.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6416 on behalf of Residents Group

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6416.F1/3.2.1/ 10/03/2016 Summary: Our Vision of Powys 2026 FC6

Source: Type: Not duly made Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.6, para.3.2.1

Issue: 2015: Deposit Draft-01. Preparation, Process and Plan Strategy

Question Representation Texts

Question: Council Response

Representation Texts: This representation is not considered to be duly made as it does not relate to a specific Focussed Change. Objections were made to the Deposit LDP in relation to housing site allocation P06 HA1, so this matter will be considered by the Independent Planning Inspector conducting the examination into the soundness of the Powys LDP.

Council Response: 0

Question: 1 Representation Details

Representation Texts: This change has added "Outstanding Landscapes" as part of the vision for Powys 2026. It is our considered opinion that the proposed development (P06 HA1 - 1008) will significantly impact the current landscape of Llyswen.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Do not approve for this plot to be included within the LDP. There are already existing plots within the village which were included in a previous LDP 15+ years ago and have to date never been put through the planning process. What is the point of plots being approved and placed within the boundaries of a village when there is no intention to build upon them, this defies the purpose of the LDP does it not? The current plot approved some years ago is attached (appendix 1) for ease of reference and we understand that this plot has now increased in size and can easily accommodate a substantial amount of houses and feel it is suitable for this plot to be developed upon as already within the boundaries of the village.

Should P06 HA1 -1008 be included also this would mean two accesses virtually opposite one another, which adds risk to a very busy and dangerous piece of the main road and double the amount of houses being built in an already "small" village.

Attached to rep: appendix 1 - site plan of "approved plot" - although plan is extract from candidate sites register.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Seeking removal of site allocation P06 HA1.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.6 Objectives: Planning for Growth in Sustainable Places - FC7, FC8

78 Home Builders Federation Ltd

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

78.F2 11/03/2016 Summary: Objectives: Planning for Growth in Sustainable Places - FC7

Source: Type: Comment Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.6

Issue: 2015: Deposit Draft-02. Housing - Distribution and Numbers

Question Representation Texts

Question: Council Response

Representation Texts: Your comments are noted. However, following representations on the Schedule of Focussed Changes including those made by Welsh Government and the points raised by the Inspector in her letter of 5 April 2016, the Council is producing further work to more clearly explain the rationale behind the housing requirement and housing provision figures as published in the Deposit Plan and the subsequent revised figures as published in the Focussed Changes Schedule.

Please note that any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response: 0

Question: 1 Representation Details

Representation Texts: The HBF support the increase in the housing allocations from 6,071 6129 dwellings but object to the reduction in the dwelling requirement figure from 5,519 to 4,500. (See comments to FC2).

However we note that the Council in arriving at this housing allocation figure rely heavily on windfall sites and existing planning consents totalling 2386 units which represents 38% of the total housing figure.

The HBF question the under construction figure of 348, last year's JHLAS 2015 schedules indicated that there were only 190 units under construction, however in the 5 year land calculation table of the JHLAS 2105 document it refers to 123 units under construction. Although it is accepted that there will be some units under construction on sites of less than five units but the HBF do not believe that this would increase the number to 348 as suggested in the plan.

The HBF also question the figure in the second column (less 17.4% Households in BBNP) of Table H1 Calculating the Housing Requirement. The WG also produce Household projections for the National Parks the most recent of which are 2008 based this shows that between 2011-2026 the projected increase in households in the BNNP is 1694. The HBF would question why hasn't this figure been used in the table, as the household projections are used in the first column.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: With regard to the units provided by existing planning consents the Council should provide a table which identifies which of these consents have been granted over five years ago and have been renewed. The reason for this is to identify sites which are at higher risk of not coming forward based on past planning history.

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

78.F2 11/03/2016 Summary: Objectives: Planning for Growth in Sustainable Places - FC7

Source: Type: Comment Mode Oral (Examination) Status Maintained

The HBF request clarification over how the Council has come to the figure of 348 for units under construction.

Clarify why the figure in the second column (less 17.4% Households in BBNP) of Table H1 Calculating the Housing Requirement has been used and why the figure HBF identify has not been used.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: I wish to be able to speak about the comments I have raised above in the inquiry as it enables the issue to be discussed between all parties.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Representation questions the figures used/evidence base for arriving at housing land requirement and housing land provision.

Council Response: 0

85

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

1084 Welsh Government

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1084.F6 11/03/2016 Summary: Objectives: Planning for Growth in Sustainable Places - FC8 - Renewable Energy/Policy RE1

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.6

Issue: 2015: Deposit Draft-08.Minerals, Waste and Renewable Energy

Question Representation Texts

Question: Council Response

Representation Texts: The comments are noted. However, following representations on the Schedule of Focussed Changes including those made by Welsh Government and recent legislative changes, the Council is undertaking a review of the current renewable energy evidence which will also consider other low carbon technologies (solar). Any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response:

0

Question: 1 Representation Details

Representation Texts: The Welsh Government remains concerned that key elements of your LDP are not supported by evidence. Whilst it will be for the Planning Inspectorate to determine how the examination proceeds and establish the soundness of your Plan, we are of the view that there is a significant risk the Plan may be found unsound.

NOTE: We are not commenting at this time on each focussed change or new piece of evidence. We reserve this right for a later date.

Key Area of Concern 6:

Renewable Energy – The authority has positively addressed the majority of our concerns raised in our deposit representation (July 2015), however, we have an outstanding concern relating to the authority’s evidence base (‘Renewable and Low Carbon Energy Assessment’ EB17) which has not adequately informed the development plan policies for renewable energy or other low carbon technology. All relevant low carbon energy generation mechanisms as identified in the assessment (EB17) for local-authority scale renewable energy schemes or other low carbon technology should be supported by a policy and shown spatially on the proposals map. This policy requirement is reinforced in the Ministerial letter to Chief Planning Officers (10 December 2015).

Whilst not required in national planning policy, we support the inclusion of an indicative target for renewable energy generation (LDP Objective 5, Focussed Change 8). However, the target appears to be unnecessarily restricted by predicted consumption within the local authority area and does not reflect the potential renewable energy capacity identified in the authority’s assessment (EB17).

MOVING FORWARD:

Notwithstanding the significant issues raised in this letter, much of the work undertaken by the Council will be of value moving forward. The Council has a broad range of evidence and, in general terms, our concerns relate to how evidence has been taken forward rather than there being an absence of evidence. The supporting evidence often provides a good overview of the issues the LDP must address and it is, again in general terms, the disconnect between the evidence and LDP policies that requires further work.

For renewable energy, we welcome the changes made and the inclusion of targets. Given the potential for renewable energy generation in the County Borough and the importance the Welsh Government attaches to renewable energy, further work is required to examine whether there are opportunities to optimise renewable energy generation and explain how targets have been set.

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

<i>Rep'n/Para/Policy</i>	<i>AccessnNo</i>	<i>DateLodgd</i>	<i>Late?</i>	<i>Status</i>	<i>Modified</i>	<i>Summary</i>
1084.F6		11/03/2016	<input type="checkbox"/>			Summary: Objectives: Planning for Growth in Sustainable Places - FC8 - Renewable Energy/Policy RE1
Source:		Type:	Objection	Mode:	Oral (Examination)	Status: Maintained

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6235 CPRW Brecon & Radnor and Montgomery

Agent: **CPRW Brecon & Radnor**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F5 11/03/2016 Summary: Objectives: Planning for Growth in Sustainable Places - FC8. Objective 5 - Energy and Water

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.6

Issue: 2015: Deposit Draft-08.Minerals, Waste and Renewable Energy

Question Representation Texts

Question: Council Response

Representation Texts: Your comments are noted. The Council disagrees with this Representation. However, following representations on the Schedule of Focussed Changes including those made by Welsh Government and recent legislative changes, the Council is undertaking a review of the current renewable energy evidence which will also consider other low carbon technologies (solar). Any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response:

0

Question: 1 Representation Details

Representation Texts: i) Deleting 'to enable households, businesses and communities to meet their needs' makes Objective 5 incompatible with the explanation provided in Paragraph 4.10.7 that targets are for renewable generation opportunities for 'communities, households and businesses'
 ii) Target categories are wrong
 The renewable electricity target should not exclude SSAs. The changes made to LDP Objective 5 by deleting 'to enable households, businesses and communities to meet their needs' and inserting 'outside strategic search areas' has been made in response to representations from REG Wind power and RWE Innogy UK Ltd. Commercial interests have been allowed to override environmental and amenity protections.. The inclusion of 'outside strategic search areas' fails to reflect the substantial generation contribution already made by Powys residents within the SSAs and the corresponding major negative environmental impacts, including those on landscape and biodiversity, already experienced across a substantial area of Powys. The DDLDP target fails to take into account that Powys is unique among Welsh counties in containing 3 SSAs which have already provided major opportunities for commercial interests.
 The renewable heat targets are based on an assumed need for Powys to reach the national 12% heat renewables target by 2020 (see Topic Paper paras 32-36). 12% would be achieved by Biomass alone and the combined heat targets are unrealistically high.
 Targets should be removed
 CPRW considers that it is inappropriate for an LPA to set targets relating to areas outside SSAs. Such targets are not supported by UK or Welsh planning Policy. Moreover the UK government has now announced that there is sufficient onshore wind energy in the national energy network and Powys is already performing well, having probably exceeded the projected Powys electricity use in 2020. Powys does not have the natural resources to provide much hydro or solar capacity and so the default would be wind energy. Wind turbines and other renewables developments genuinely available to 'communities, households and businesses' (see Focussed Change 40) should be small scale with individual installed capacities of a fraction of a Megawatt so that 50MW would require hundreds of projects with the potential of negative cumulative impacts. If larger scale projects are considered appropriate - and a target certainly will encourage planning recommendations for larger scale projects from large wind energy companies - then the environmental impacts of 50MW installed capacity, especially in cumulation with those impacts from wind farms in SSAs, would be unacceptable. Either way, the proliferation of turbines would be of a scale in density or size to seriously conflict with biodiversity, pollution, amenity, tourism, landscape and heritage objectives and policies. Such proliferation is inconsistent with TAN 8 Annex D 8.4, according to which outside the SSAs there should be 'no significant change in landscape character from wind turbine development.' It would also conflict with other strategies (e.g. tourism hubs) within the Wales Spatial Plan, and with ambitions within the One Powys Plan to empower people to have a greater voice in local decision making and have a sense of pride in where they live (priority 4).

Paras 30 and 31 of the Topic Paper address compatibility of the wind target and renewable heat targets with other LDP Objectives. But Powys already has experience of serious,

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6235.F5 11/03/2016 Summary: Objectives: Planning for Growth in Sustainable Places - FC8. Objective 5 - Energy and Water

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

as yet, uninvestigated, problems with turbines (including noise and habitat destruction) and anaerobic digesters (including farmland and private water contamination, odour and flies) which have resulted in widespread unpopularity of operating and proposed developments.

The SEA assessment and the conclusions of Paras 30 and 31 of the Topic Paper are economical with the truth and ingenuous about the weight of evidence for negative environmental impacts. 'Energy Wales: A Low Carbon Transition 2012' removes targets and replaces these with energy aspirations.

The targets are:

- not based on robust and credible evidence
- not accompanied by any strategy for their implementation
- not assessed for likely negative environmental impacts of development on this scale
- certain to encourage inappropriate development.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: CPRW recommends the removal of targets such that Objective 5 reads:

"LDP Objective 5 – Energy and Water

To support the conservation of energy and water and to generate energy from appropriately located renewable resources to enable households, businesses and communities to meet their needs where acceptable in terms of the economic, social, environmental, landscape* and cumulative impacts.

In particular, to contribute to the achievement of the Water Framework Directive targets in Powys."

If this change is not agreed, the minimum acceptable change is the reversal of wording changes included in Focussed Change FC8 to read:

"LDP Objective 5 – Energy and Water

To support the conservation of energy and water and to generate energy from appropriately located renewable resources to enable households, businesses and communities to meet their needs where acceptable in terms of the economic, social, environmental, landscape* and cumulative impacts.

In particular, to:

i. Contribute to the achievement of the Water Framework Directive targets in Powys.

ii. Provide an additional 50MW installed capacity of renewable electricity generating technology, 30MW renewable biomass and 16MW building integrated heat generating technology."

* 'Landscape' is included in both options - to ensure consistency with the intentions of Policy DM3 we recommend the inclusion also of 'landscape' in Objective 5.

Council Response:

0

Question: 3 Reason for request to speak at hearing

Representation Texts: The points above i.e.: the incompatibility of the wording of Objective 5 with other sections of the LDP; the incompatibility of the targets themselves with other LDP objectives and policies; the lack of evidence base to justify inclusion of the targets; the lack of policy support for targets; the likelihood that their inclusion will result in very significant harms to residential and environmental interests; evidence for all of the above.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6417 Cymdeithas Yr Iaith Gyrraeg

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6417.F1//DM14 11/03/2016 Summary: Objectives: Planning for Growth in Sustainable Places - FC7

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.35

Policy: DM14

Issue: 2015: Deposit Draft-10. Welsh Language and Culture and Heritage

Question Representation Texts

Question: Council Response

Representation Texts: Nodwyd y sylwadau hyn sy'n cwestiynu nifer y lleiniau tir y mae tai wedi cael eu dyrannu ar eu cyfer a chadernid y dull a ddefnyddir wrth benderfynu'r ffigyrau hyn gan gwestiynu a yw hyn yn adlewyrchu angen lleol. Mae dyraniadau tai wedi'u gwneud o fewn trefi a phentrefi mawrion yn unol â strategaeth aneddiadau'r CDLI gyda'r nod o alluogi datblygu tai ar lefel leol er mwyn diwallu anghenion cymunedau led led Powys. Yn dilyn amryw gynrychiolaeth i'r Rhestr o Newidiadau Penodol gan gynnwys sylwadau Llywodraeth Cymru yn ogystal â'r pwyntiau a wnaed gan yr Arolygydd yn ei llythyr ar y 5ed of Ebrill 2016, mae'r Cyngor yn cynhyrchu gwaith pellach er mwyn cynnig esboniad cliriach ar gyfer y rheswm tu ôl i'r ffigyrau anghenion a darpariaeth tai, fel yr argraffwyd yn y Cynllun Adnau a'r ffigyrau dilynol a ddiwygwyd fel yr argraffwyd yn y Rhestr o Newidiadau Penodol.

Plis nodwch y bydd y Cyngor yn argymhell i'r Arolygydd y dylid cynnwys unrhyw newidiadau pellach i'r CDLI, a fydd o bosib o ganlyniad i'r gwaith ychwanegol hwn, fel newidiadau y bydd posib eu hannerch fel Newidiadau Materion a Godwyd.

These comments questioning the number of land that housing has been allocated for and regarding the robustness of the method used in deciding these figures and questioning of its reflection of local need are noted. Housing allocations have been made within towns and large villages in line with the LDP's settlement strategy and with the aim of enabling the development of housing at a local level in order to meet the needs of communities across Powys. Following various representations on the Schedule of Focussed Changes including comments made by Welsh Government and the points raised by the Inspector in her letter of 5 April 2016, the Council is producing further work to more clearly explain the rationale behind the housing requirement and housing provision figures as published in the Deposit Plan and the subsequent revised figures as published in the Focussed Changes Schedule.

Please note that any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Gwrthwynebwn y cynnydd (e.e. FC7) yn y nifer o dai newydd y clustnodir tir ar eu cyfer - nid ydym o'r farn fod y dull o benderfynu'r ffigurau hyn yn gadarn nac yn adlewyrchu anghenion lleol.

We are opposed to the increase (e.g. FC7) in the number of new houses that land has been allocated for – we do not believe that the method of deciding on these figures is robust and it does not reflect local needs.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Gostwng y nifer o dai y dyrannwyd tir ar ei gyfer.

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6417.F1//DM14 11/03/2016 Summary: Objectives: Planning for Growth in Sustainable Places - FC7

Source: Email

Type: Objection

Mode Written

Status Maintained

Reduce the number of house that land is allocated for.

Council Response:

0

Question: 4 Summary of Representation

Representation Texts: Gwrthwynebiad l'r cynnydd (e.e. FC7) yn y nifer o dai newydd y clustnodir tir ar eu cyfer gan nid yw'r dull yn gadarn ac nid yw'n adlewyrchu anghenion lleol.

Objection to increase in number of houses that land is allocated for as the method used is not robust and it does not reflect local need.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.9 Objectives: Natural and Built Assets - FC9

6235 CPRW Brecon & Radnor and Montgomery

Agent: **CPRW Brecon & Radnor**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F6 11/03/2016 Summary: Objectives: Natural and Built Assets - FC9 - Objective 13

Source: Email Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.7

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: Thanks for your comment, your support for the Focussed Change is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: The amendment to make specific reference to landscape is very welcome.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Support for FC9 to Objective 13

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6416 on behalf of Residents Group

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6416.F2 10/03/2016 Summary: Objectiives: Natural and Built Assets - FC9

Source: Type: Not duly made Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.7

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: This representation is not considered to be duly made as it does not relate to a specific Focussed Change. Objections were made to the Deposit LDP in relation to housing site allocation P06 HA1 and no new additional evidence has been provided in this Representation. LDP Appendix 1 already recognised the need for a Historic Landscape Assessment under ASIDOHL2 to be undertaken and revised Policy DM3 -Landscape proposed in the Schedule of Focussed Changes considers landscape characteristics.

Council Response: 0

Question: 1 Representation Details

Representation Texts: This change emphasises the need to protect the current landscape and historic environment. It is our considered opinion that the proposed development (P06 HA1 - 1008) will significantly impact the current landscape and historic enviorment of Llyswen.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: The plot should be removed from the current LDP to ensure the LDP is sound and is in keeping with its contents.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Seeking removal of site allocation P06 HA1.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.12 Employment Land Growth - FC10

6235 CPRW Brecon & Radnor and Montgomery Agent: CPRW Brecon & Radnor

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F7 11/03/2016 Summary: Employment Land Growth - FC10. Paragraphs 3.3.1 – 3.3.8

Source: Email Type: Comment Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.8

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question Representation Texts

Question: Council Response

Representation Texts: This comment is noted. FC10 provided clarity with regards the cross LPA boundary nature of the Local Growth Zone which incorporates the Brecon/ Bronllys/Talgarth area. The Council consider it appropriate to highlight that Brecon and Talgarth do not fall within the scope of the Plan and therefore no further changes are required.

Council Response: 0

Question: 1 Representation Details

Representation Texts: CPRW is unclear as to the purpose of the inclusion within the LDP of towns outside the plan area.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Either remove towns outside plan area (Brecon and Talgarth) or justify their inclusion.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.14 Housing Growth - FC11

78 Home Builders Federation Ltd

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

78.F3 11/03/2016 Summary: Housing Growth - FC11

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.8

Issue: 2015: Deposit Draft-02. Housing - Distribution and Numbers

Question Representation Texts

Question: Council Response

Representation Texts: Your comments are noted. However, following representations on the Schedule of Focussed Changes including those made by Welsh Government and the points raised by the Inspector in her letter of 5 April 2016, the Council is producing further work to more clearly explain the rationale behind the housing requirement and housing provision figures as published in the Deposit Plan and the subsequent revised figures as published in the Focussed Changes Schedule. This work will include clarification on the contingency figures and the details behind the annual supply of windfall sites.

Please note that any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response:

0

Question: 1 Representation Details

Representation Texts: The HBF object to the reduction in the housing requirement figure and in particular the current reason given which is based on an assessment against past build rates and the need to provide a five year land supply.

We also raise concerns at the very high contingency level of 36% and feel that more sites should be allocated instead which would providing more certainty over delivery.

With regard to Windfall sites – the plan proposes an allowance of 87 dwellings per year. Paragraph 6.3 and Table 5 Population and Housing Topic Paper ADDENDUM January 2016 tries to explain this but the calculation is not clear. It firstly refers to the calculation being based on the first four years of the plan however this would only be 58 units giving an average of 15 units/yr. But then states a much higher total which includes a large number from pre 2011 this needs to be clarified as this is then used to create the higher average figure of 87 units/yr.

In addition to this mathematical question the HBF consider that using the last four years of windfalls data is misleading as this also is the last years of the UDP a time at which you would expect windfalls to increase as allocated sites run out, further once a new plan is adopted and a number of new sites are allocated you would expect the level of windfalls to reduce. This fluctuation in windfalls should either be taken account of by varying the windfall allowance across the plan or by talking account of it in the average figure. The HBF would request that a lower windfall figure be used which in turn would result in the need for more land to be allocated to make up for the shortfall in numbers, we note that windfalls currently account for 16% of the proposed housing.

Table H2 shows 19% of dwellings (including a high level of windfalls) delivered in Rural / other areas which does not align with the Strategic Policy SP1 this needs to be explained and would be another reason to lower the windfall figure. This is an example of needing to consider the wider LDP policies and strategy compared to the previous UDP and

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

78.F3 11/03/2016 Summary: Housing Growth - FC11

Source: Type: Objection Mode Oral (Examination) Status Maintained

considering how this might impact on the delivery of windfall sites under the new plan.

Table 5 referred to above shows that 43% of windfalls in the last four years were from sites in the open countryside however in proposed Strategic Policy SP1 - Settlement Strategy its states:

Open market housing development will not be permitted in Rural Settlements.

Single rural affordable homes to meet local need in perpetuity will be permitted on suitable sites where well integrated into a rural settlement.

Only housing development that complies with Planning Policy Wales and TAN6 will be permitted in the Open Countryside.

The HBF contend that this Policy will result in significant reduction in the level of windfall development in the open countryside and would therefore further reduce the annual supply of windfall sites.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Clarification over the calculations used to arrive at the average windfall figure.

Even if the current figure can be justified mathematically the HBF would request that a lower windfall figure be used which in turn would result in the need for more land to be allocated to make up for the shortfall in numbers.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: I wish to be able to speak about the objection I have raised above in the inquiry as it enables the issue to be discussed between all parties.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Representor questions under-lying housing figures/evidence and requests more housing land allocations.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

1084 Welsh Government

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1084.F1 11/03/2016 Summary: Housing Growth - FC11

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.8

Issue: 2015: Deposit Draft-03. Housing - Delivery and Infrastructure

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your response. Following various representations on the Schedule of Focussed Changes including these comments made by Welsh Government and the points raised by the Inspector in her letter of 5 April 2016, you will be aware that the Council is reviewing its viability evidence in order to reflect current and local market conditions and in the knowledge that development is currently happening on the ground in Powys, including on brownfield and small sites and in the challenging sub-market areas of the Rural North and South-West. This work will include reviewing assumptions and typologies to ensure that they are reflective of the allocations proposed as at the focussed changes stage, further analysis of brownfield sites and further work on the specific viability issues relating to small sites in Powys.

Further work is also being carried out to clearly explain the rationale behind the housing requirement and housing provision figures as published in the Deposit Plan and the subsequent revised figures as published in the Focussed Changes Schedule. This work is likely to include reassessment of the trajectory.

In response to the query regarding the windfall completion figures, we can confirm that the large windfalls of 5+ units have been factored into the 87 unit per annum assumption. The data to show the annual average and an explanation as to how this aligns with past trends can be provided as part of the further work being undertaken, as mentioned above, in relation to the housing requirement and housing provision figures.

Council Response:

0

Question: 1 Representation Details

Representation Texts: The Welsh Government remains concerned that key elements of your LDP are not supported by evidence. Whilst it will be for the Planning Inspectorate to determine how the examination proceeds and establish the soundness of your Plan, we are of the view that there is a significant risk the Plan may be found unsound.

NOTE: We are not commenting at this time on each focussed change or new piece of evidence. We reserve this right for a later date.

Key Area of Concern 1:

Housing Deliverability - We remain concerned that the LDP is not supported by evidence that demonstrates the allocated sites can be delivered. The CIL Viability Assessment (EB13) has tested sites representative of allocations in the LDP and indicates that housing developments are unviable in two of the four sub-market areas. It also identifies that brownfield and small site development is unviable across Powys (although the Population and Housing Topic Paper (EB35) demonstrates historical completions on small sites dating back to 2004).

The Phasing and Delivery of New Housing Provision Paper (EB29) says that over 1000 units (22% of the plans housing requirement) are financially unviable. The evidence states that large greenfield sites in Central Powys are considered to be the most viable and also that such an allocation (P28 HA1 Land adj. Crabtree Green) is unviable and will be slow in coming forward due to the affordable housing constraint (EB29 Appendix 1). Whilst the authority has done further work exploring whether sites are deliverable, including requesting further information from landowners/agents, it remains unclear how all this additional work has benefited the plan if 22% of allocations and commitments remain undeliverable.

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

1084.F1 11/03/2016 Summary: Housing Growth - FC11

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

We remain concerned regarding the accuracy of assumptions in the Viability Assessment (EB13) and how this relates to the delivery, timing and phasing of sites in the housing trajectory. Given we have raised these concerns to you in our comments of July 2015 and in our meeting of August 2015, we are surprised the Council has not sought to present new evidence that directly addresses our concerns, or if you consider new evidence is not required, explain more fully the relationship between the LDP policies and the evidence. The Council's Viability Assessment still implies that a significant proportion of housing provision is unviable raising questions regarding the deliverability of the plan as a whole. The further evidence provided in EB29 does not address the issues raised.

We note the additional evidence relating to delivery across the plan period and 5-year land supply (LDP Topic Paper – Phasing & Delivery of New Housing Provision Jan 2016). This does not provide the evidence required to demonstrate the ability to maintain a 5-year land supply. The required build rates remain high towards the middle/end of the plan period (2019-2025). Given the low level of completions and significant under provision in the early plan period (2011-2018), build rates will need to be made up in the remainder of the plan period at a rate of at least 50 dwellings p.a. above the average build rate of 300 units.

Figure 1 in the LDP Topic Paper – Phasing & Delivery of New Housing Provision (Jan 2016) shows a windfall allowance of 87 units per annum or 960 units up to 2026. The 2015 JHLA states small windfall completions are approximately 70 units per annum. Clarification is required on whether large windfalls of 5+ units have been factored into the 87 unit per annum assumption. If they have not been included, the Council you will need to explain why and consider the impact of large windfall sites on the plans housing provision, flexibility allowance and annual build rates in the trajectory.

MOVING FORWARD:

Notwithstanding the significant issues raised in this letter, much of the work undertaken by the Council will be of value moving forward. The Council has a broad range of evidence and, in general terms, our concerns relate to how evidence has been taken forward rather than there being an absence of evidence. The supporting evidence often provides a good overview of the issues the LDP must address and it is, again in general terms, the disconnect between the evidence and LDP policies that requires further work.

Additional work is required on viability. The Council needs to demonstrate whether the allocated and windfall sites and affordable housing its strategy relies on are viable and deliverable. At the present time, the Council's own evidence states that its housing targets cannot be met. The Viability Testing identifies very high levels of unviability on some of the tested sites. The underlying assumptions need to be examined. If they are incorrect, they need to be changed. If they are correct, the Council needs to understand what the implications are for its LDP of having such high levels of unviability across the entire County Borough. Evidence on actual completions should inform this work.

Council Response:

0

Question: 4 Summary of Representation

Representation Texts: Housing Deliverability - the LDP is not supported by evidence that demonstrates the allocated sites can be delivered. The LDP Topic Paper - Phasing and Delivery of New Housing Provision Jan 2016 - does not provide the evidence required to demonstrate the ability to maintain a 5 year land supply.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

1084.F2 11/03/2016 Summary: Housing Growth - FC11

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.8

Issue: 2015: Deposit Draft-02. Housing - Distribution and Numbers

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your response. Following various representations on the Schedule of Focussed Changes including these comments made by Welsh Government and the points raised by the Inspector in her letter of 5 April 2016, you will be aware that the Council is producing further work to more clearly explain the rationale behind the housing requirement and housing provision figures as published in the Deposit Plan and the subsequent revised figures as published in the Focussed Changes Schedule. This work will include clarification on the contingency/flexibility allowances.

Please note that any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response:

0

Question: 1 Representation Details

Representation Texts: The Welsh Government remains concerned that key elements of your LDP are not supported by evidence. Whilst it will be for the Planning Inspectorate to determine how the examination proceeds and establish the soundness of your Plan, we are of the view that there is a significant risk the Plan may be found unsound.

NOTE: We are not commenting at this time on each focussed change or new piece of evidence. We reserve this right for a later date.

Key Area of Concern 2:

Housing Provision - We consider FC11 to increase the housing provision in the plan (to 6129) exacerbates rather than addresses the issues we have previously raised. The housing requirement of 4,500 units appears to be based on the 2011 household principal projections. The new figure deviates above the 2011 projections by 400 units and is lower than the figure in the Deposit plan (5519) by 1000 units. Whilst we note the addendum to the Population and Housing Topic Paper, it still remains unclear what evidence justifies a reduction in the housing requirement. You should note that the Welsh Government does not object in principle to revising the housing requirement. The issue is how the figure has been arrived at, why it has been reduced by 1000 units since Deposit, the lack of certainty on whether the figure can be delivered and whether it is the right figure.

The increase in the housing provision to 6129 units means that there is 36% flexibility in the plan. This raises new additional concerns regarding certainty on site delivery. It is not clear why flexibility has been increased from 10% to 36%. The reasons provided do not adequately explain the need for such a high level of flexibility. We consider that moving from an approach to housing delivery that concluded a 10% flexibility allowance was required to one now proposing a 36% allowance, is a fundamental change. In the absence of evidence to explain this, we have significant concerns on the introduction of such an approach at the focussed change stage post the submission of the LDP for examination.

MOVING FORWARD:

Notwithstanding the significant issues raised in this letter, much of the work undertaken by the Council will be of value moving forward. The Council has a broad range of evidence and, in general terms, our concerns relate to how evidence has been taken forward rather than there being an absence of evidence. The supporting evidence often provides a good overview of the issues the LDP must address and it is, again in general terms, the disconnect between the evidence and LDP policies that requires further work.

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1084.F2 11/03/2016 Summary: Housing Growth - FC11

Source: Type: Objection Mode Oral (Examination) Status Maintained

Further work is required to justify and explain in simple, evidence based terms the housing requirement and housing provision figures. You must be satisfied with the numbers you have chosen and be able to explain them to the Planning Inspector. You must explain why the numbers have both changed since Deposit and why there is now a 36% difference between the requirement and provision figures.

Viability, deliverability and the housing numbers the LDP seeks to deliver, must be evidence based and understood in the context of ensuring a 5 year housing supply over the plan period.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Evidence is required to justify the reduction in the housing requirement - the Population and Housing Topic Paper addendum does not make this clear. How was the figure arrived at, why has it been reduced by 1000 units since Deposit, lack of certainty on whether the figure can be delivered and whether it is the right figure.

The reasons provided for the change from 10% to 36% contingency do not adequately explain why flexibility has been increased to such a high level. There should be evidence to support such a fundamental change post the submission of the LDP for examination.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6192 Gardiner, Mr Ben

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6192.F1 09/03/2016 Summary: Housing Growth - FC11

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.8

Issue: 2015: Deposit Draft-02. Housing - Distribution and Numbers

Question *Representation Texts*

Question: Council Response

Representation Texts: The figure of 6129 aims to provide a range of dwellings from varous sources (i.e windfall and allocated sites) that relect the dwelling requirement for the whole of Powys not just Llanfyllin. Llanfyllin is classed as a Town (in the LDP strategy which adopts the approach of a sustainable settlement hierarchy), based on its population and its wide range of services. It is for this reason that Llanfyllin has been given allocations equating to 145 dwellings.

Following the representations received, it should be noted that the Council is producing further work to more clearly explain the rationale behind the housing requirement and housing provision figures as published in the Deposit Plan and the subsequent revised figures as published in the Focussed Changes Schedule.

Please note that any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Page 8 Meeting Future Needs. The figure of 6129 new dwellings requires revisiting. Powys suffers from a increasingly declining and aging population. In Llanfyllin the LDP proposes over 145 new dwellings. Local research has shown that the need is much more modest with no plans for future development in Llanfyllin by the major housing associations. Inquiries to the housing associations in regard to any tentative plans for building in Llanfyllin relate only to small housing units for the elderly.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Need to relook at 6129 dwelling figure, doesn't reflect own research as to what is required in Llanfyllin.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6210 , **The Bowker Family**

Agent: **Pegasus Group**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6210.F2 11/03/2016 Summary: Housing Growth - FC11

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.8

Issue: 2015: Deposit Draft-02. Housing - Distribution and Numbers

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments which are noted. However, following representations on the Schedule of Focussed Changes including those made by Welsh Government and the points raised by the Inspector in her letter of 5 April 2016 the Council is producing further work to more clearly explain the rationale behind the housing requirement and housing provision figures as published in the Deposit Plan and the subsequent revised figures as published in the Focussed Changes Schedule.

Please note that any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

The Council notes your viewpoint that Four Crosses should receive a higher level of development and that the Council should be promoting the delivery of additional sites in Towns and Large Villages to ensure a more sustainable distribution of growth. The Council does not agree that changes to the Plan are necessary in response to this Focussed Change representation. The Council believes that growth has been appropriately apportioned across the sustainable settlement strategy and that the LDP can deliver the housing required to meet Powys' needs to 2026. In the particular case of Four Crosses, the Council considers that it is pertinent to note that the allocated site in the Draft Deposit Plan 2015 - P18 HA1 - whilst allocated for 30 dwellings based on current identified need has a larger site area and capacity if required (1.2 ha of 3.4 ha required in this Plan period). Furthermore, the pro-rata growth at the settlement level is not made up purely of new land allocations. Dwellings in the existing land bank (ie those completed since 2011, started or committed by virtue of planning permission under the current statutory development plan) also contribute to meeting needs alongside the further windfall/infill/exceptions opportunities that are likely to exist in each town/large village. For these reasons, the Council do not agree that the LDP plans for insufficient new housing

Council Response:

0

Question: 1 Representation Details

Representation Texts: FC11 and FC13

Paragraph 3.4.11 of the revised deposit draft LDP identified that Towns accommodated 41% of the population of Powys, with 31% in Large or Small Villages, and 28% in Rural Settlements.

Table H2 of the revised deposit draft LDP identified the proposed apportionment of housing between the different settlement hierarchies with 53% being proposed in Towns, 31% in Large and Small Villages and 16% in Rural Settlements. Paragraph 3.4.22 identifies that this pro-rate apportionment which focusses development at the Towns and Large Villages ensures sustainable development.

FC11 however now indicates that the proposed distribution of growth has changed as a result of planning commitments. This change has the result of reducing the proportions proposed to be delivered at Towns and Large Villages, with this now being proposed at Small Villages and Rural Settlements, contrary to the strategy previously proposed. Indeed, the revised deposit draft LDP

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6210.F2 11/03/2016 Summary: Housing Growth - FC11

Source: Type: Objection Mode Oral (Examination) Status Maintained

proposed a housing requirement of 5,519 homes with 4,815 (or 79.3%) of these proposed at Towns and Large Villages. However, the Focussed Changes now propose only 4,611 homes (or 75.2%) at Towns and Large Villages. The result is that the apportionment towards Towns and Large Villages (which is required to ensure sustainable development) has reduced in both absolute and proportionate terms.

FC13 exacerbates this less sustainable apportionment by requiring that only 70% of housing growth is located at the Towns and Large Villages, when the current supply indicates that in excess of 75% can be achieved. This ignores both the evidence and the strategy of the LDP and so does not fit, and is not appropriate.

The only way to address these related issues is to promote the delivery of additional sites at the Towns and Large Villages, including at Four Crosses, and to set a more meaningful target for the delivery of housing at Towns and Large Villages (i.e. in excess of 75%) to ensure a more sustainable distribution.

Paragraph 3.4.13 of the LDP identifies that Large Villages (including Four Crosses) will accommodate housing growth in proportion to their size and facilities and according to their capacity to accommodate growth due to environmental and infrastructure capacity constraints. Paragraphs 3.4.23 and 3.2.24 identify that all settlements may not be able to receive pro-rate levels of growth and in these instances this will be made up at other Towns and Villages.

Appendix 1 of the Settlement Hierarchy Document identifies that Four Crosses has the same levels of facilities and services as many of the Towns, including Uanfair Caereinion, Uanfyilln, Montgomery, Presteigne, and Rhayader and the Erratum LDP Strategy Topic Paper identifies that it is the third largest Large Village. Furthermore, no environmental or infrastructure constraints have been identified at Four Crosses. It would therefore be expected that Four Crosses would receive a level of development that at least meets its pro-rata requirement.

The Erratum LOP Strategy Topic Paper identifies a pro-rata requirement for 46 homes in Four Crosses, but then identifies only 30 within the supply. This means that as a minimum Four Crosses should receive additional growth to that currently proposed to meet even the pro-rata requirement and that this it could provide an even greater number of homes to meet the constrained needs of other settlements. This would support a greater absolute and proportionate apportionment to the Large Villages, which is identified as being required to ensure sustainable development.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: The apportionment of housing growth proposed in FC11 is less sustainable than that proposed previously and the mechanism to address this is to support additional development at the Towns and Large Villages in accordance with the strategy of the LDP.

The target for housing growth in Towns and Large Villages in FC13 does not reflect the evidence or the

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6210.F2 11/03/2016 Summary: Housing Growth - FC11

Source: Type: Objection Mode Oral (Examination) Status Maintained

strategy and it should be revised such that at least 75% of housing growth is required in these locations.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: Pegasus Group wish to speak at the examination to discuss how the apportionment of development can be more appropriately embedded in the LDP, particularly in regard to the opportunities at Four Crosses.

Council Response: 0

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6235 CPRW Brecon & Radnor and Montgomery

Agent: **CPRW Brecon & Radnor**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F8 11/03/2016 Summary: Housing Growth - FC11. Paragraphs 3.3.12 – 3.3.16,

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.8

Issue: 2015: Deposit Draft-02. Housing - Distribution and Numbers

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments which are noted. However, following representations on the Schedule of Focussed Changes including those made by Welsh Government and the points raised by the Inspector in her letter of 5 April 2016, the Council is producing further work to more clearly explain the rationale behind the housing requirement and housing provision figures as published in the Deposit Plan and the subsequent revised figures as published in the Focussed Changes Schedule. This work will include clarification on the contingency/flexibility allowances.

Please note that any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response:

0

Question: 1 Representation Details

Representation Texts: 3.3.14 The LDP housing requirement has been revised down from 5,519 to 4,500 dwellings
3.3.15 A contingency factor has been added. The original factor was 10%. The plan makes provision for 6,129 dwellings in order to meet the 'dwelling requirement' of 4,500 dwellings. The revised factor, which is not supplied, is therefore 36%. $(6,129 - 4,500) \times 100 \div 4,500$. No reason is given for applying a contingency factor over 3½ times the original. We are inclined to think this is a mistake but, if so, it is a mistake which then informs the entire housing allocation policy because figures are designed to add up to a total of 6,129 houses not the 4,950 houses a 10% contingency would require. The Topic Papers cited at the bottom of p10 confirm the downwards revision of the housing requirement.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Reasonable, transparent calculations with appropriate explanation. (If there is no mistake, it may be necessary to make alterations elsewhere to explain how a reduced housing requirement can possibly lead to a much increased housing allocation).

Council Response:

0

Question: 3 Reason for request to speak at hearing

Representation Texts: Lack of explanation of figures and their consequences for housing allocation. A contingency factor of 36% is indefensible.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6416 on behalf of Residents Group

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6416.F3 10/03/2016 Summary: Housing Growth - FC11

Source: Type: Not duly made Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.8

Issue: 2015: Deposit Draft-02. Housing - Distribution and Numbers

Question Representation Texts

Question: Council Response

Representation Texts: This representation is not considered to be duly made as it does not relate to a specific Focussed Change. Objections were made to the Deposit LDP in relation to housing site allocation P06 HA1 and the Representor does not raise new issues or evidence which lead the Local Planning Authority to change its conclusions with regard to the designation of Boughrood and Llywen within the settlement hierarchy. The Council considers that the proposed settlement hierarchy is sound, based on a robust methodology with levels of growth and site allocations supported by a wide range of supporting evidence including access to services. The Council maintains that the tiers of settlements identified accurately reflect their role, function and overall level of sustainability and it is appropriate to consider Boughrood and Llyswen in combination as a Large Village. The Council consider that the apportioned distribution of housing across the Settlement Hierarchy is based on a sound rationale which supports the delivery of the LDP strategy and the longer term viability of settlements considered capable of supporting sustainable growth and therefore does not agree that the site should be removed from the Plan.

Council Response: 0

Question: 1 Representation Details

Representation Texts: This change addresses the number of dwellings associated with towns, large villages, small villages and rural/other. We would point out that the LDP currently groups Boughrood and Llyswen as one large village. This incorrectly represents the villages of Boughrood and Llyswen as they are each a small village totally independent from each other. As such this totally distorts the dwelling needs of the villages.

In our representations last year this point was raised and disappointingly the Council have not responded with a reason why these two villages were grouped together as one large village.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: For the villages of Llyswen and Boughrood not to be grouped as one large village but as separate small villages and for the LDP to be re-reviewed to reflect these changes and as such the proposals to include plot HA1 to be reviewed in line with these changes.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Seeking removal of site allocation P06 HA1. Seeking re-categorisation of settlements (Large Village to Small Village).

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.15 LDP Affordable Housing target - FC12

78 Home Builders Federation Ltd

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

78.F4 11/03/2016 Summary: LDP Affordable Housing target - FC12

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.11

Issue: 2015: Deposit Draft-04. Housing - Affordable Housing

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments which are noted. However, following representations on the Schedule of Focussed Changes including those made by Welsh Government and the points raised by the Inspector in her letter of 5 April 2016 the Council is producing further work to more clearly explain the rationale behind the housing requirement and housing provision figures and is also undertaking additional work on the Viability Study. These topics are clearly linked to the Plan's strategy for the delivery of affordable housing which the Council will also need to clarify in updated papers in due course.

Please note that any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response:

0

Question: 1 Representation Details

Representation Texts: The HBF object to the increased affordable housing requirement particular as there is also a reduction in the amount of market housing, this will mean that the percentage of market housing that can be delivered is reduced. This increase in affordable housing is caused by the change from 20 to 30% in the Central Powys area Policy H4 (See our comments to FC24):

The HBF object to the increase in the affordable housing percentage increase from 20% to 30 % in central Powys, we also consider that reason given is not sound and justified. It is quite clear from the wording elsewhere in the plan that no decision has yet been made as to whether or not the Council will adopt a CIL charge. Therefor a policy requirement which links directly to CIL cannot be changed at this stage. CIL guidance also states that the impact of CIL should be neutral when considered against the existing situation of S106's, so it does not follow that not having CIL will mean there is more viability in the scheme as the need to mitigate against the impact of the development will still be taken account of as part of any S106 agreement.

Also figures in para. 3.318 suggest a jump from 28/yr delivery rate over last two years to 99/yr for the next 11 years of the plan the HBF question if this is realistic. On this point it is noted that the Council refer to the issue of low delivery rates in its Population and Housing Topic Paper ADDENDUM January 2016. This concern of overly high delivery rates has also been used as a reason to reduce the market housing element of the housing requirement in the same plan.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Reduce the affordable housing requirement as a result of reinstating the requirement for 20% in the Central Powys area Policy H4.

25/04/2016

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

78.F4 11/03/2016 Summary: LDP Affordable Housing target - FC12

Source: Type: Objection Mode Oral (Examination) Status Maintained

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: I wish to be able to speak about the objection I have raised above in the inquiry as it enables the issue to be discussed between all parties.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Objection to the revised Affordable Housing Target - Central Powys Area.

Council Response: 0

Page 108

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

1084 Welsh Government

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1084.F3 11/03/2016 Summary: LDP Affordable Housing target - FC12

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.11

Issue: 2015: Deposit Draft-04. Housing - Affordable Housing

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your response. Following various representations on the Schedule of Focussed Changes including these comments made by Welsh Government and the points raised by the Inspector in her letter of 5 April 2016, you will be aware that the Council is producing further work to more clearly explain the rationale behind the housing requirement and housing provision figures and is also undertaking a review of the Viability Study. This work will inform the affordable housing target and threshold. These topics are clearly linked to the Plan's strategy for the delivery of affordable housing which the Council will also need to clarify in updated papers in due course.

Please note that any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

In response to the omission of the affordable housing target being 'subject to detailed viability assessments', this wording was removed from the Plan following a representation which questioned by a Representor at consultation stage on the Deposit Plan, as it was considered by the Representor that the wording suggested that a viability assessment would be required to be submitted for every scheme. The Council agreed that the policy as worded could be interpreted in this way and therefore removed this as a focussed change, however it continued to allow for negotiation with developers through submission of site specific viability evidence as explained in paragraph 4.6.17 in the supporting justification. It is recognised that the flexibility for negotiation with developers could be made clearer by referring to this within the policy itself. The Council would therefore agree to the following additional text within policy H4 after point 2.d: 'Where the developer of a proposal provides detailed site specific financial evidence demonstrating that the provision of the affordable housing as per the target set under criterion 1 above is not viable, the Authority will consider the appropriateness of a reduction in the affordable housing targets set above, or where necessary, the removal of the requirement to provide affordable housing.'

Council Response:

0

Question: 1 Representation Details

Representation Texts: The Welsh Government remains concerned that key elements of your LDP are not supported by evidence. Whilst it will be for the Planning Inspectorate to determine how the examination proceeds and establish the soundness of your Plan, we are of the view that there is a significant risk the Plan may be found unsound.

NOTE: We are not commenting at this time on each focussed change or new piece of evidence. We reserve this right for a later date.

Key Area of Concern 3:

Affordable Housing – Whilst we support the principle of FC12, which increases the affordable housing target to 1257 units, we have significant concerns regarding viability and delivery of the plan as a whole. Appendix 1 of the Phasing and Delivery of New Housing Provision Paper (EB29) for example, states that 1000 units (of which approximately 255 would be affordable units) are considered unviable. There is therefore doubt over the delivery of 20% of the LDP's affordable housing target.

Whilst we are supportive of the principle of FC24, which increases the affordable housing target to 30% in Central Powys, the FC omits reference to affordable housing targets being 'subject to detailed viability assessments'. This removes the flexibility for negotiation with developers and is not compliant with PPW or TAN 2.

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1084.F3 11/03/2016 Summary: LDP Affordable Housing target - FC12

Source: Type: Objection Mode Oral (Examination) Status Maintained

Our concern regarding the requirement for a 10% affordable housing target in south-west Powys and Ystradgynlais remains. The target is not supported by evidence in the Viability Assessment (EB13). The affordable housing threshold of 5 or more units in Policy H4 also remains a key issue. The threshold is not supported by evidence in the Viability Assessment (EB13) nor does it align with historic small site completion rates (EB35).

MOVING FORWARD:

Notwithstanding the significant issues raised in this letter, much of the work undertaken by the Council will be of value moving forward. The Council has a broad range of evidence and, in general terms, our concerns relate to how evidence has been taken forward rather than there being an absence of evidence. The supporting evidence often provides a good overview of the issues the LDP must address and it is, again in general terms, the disconnect between the evidence and LDP policies that requires further work.

Additional work is required on viability. The Council needs to demonstrate whether the allocated and windfall sites and affordable housing its strategy relies on are viable and deliverable. At the present time, the Council's own evidence states that its housing targets cannot be met. The Viability Testing identifies very high levels of unviability on some of the tested sites. The underlying assumptions need to be examined. If they are incorrect, they need to be changed. If they are correct, the Council needs to understand what the implications are for its LDP of having such high levels of unviability across the entire County Borough. Evidence on actual completions should inform this work.

Further work is required to justify and explain in simple, evidence based terms the housing requirement and housing provision figures. You must be satisfied with the numbers you have chosen and be able to explain them to the Planning Inspector. You must explain why the numbers have both changed since Deposit and why there is now a 36% difference between the requirement and provision figures.

Viability, deliverability and the housing numbers the LDP seeks to deliver, must be evidence based and understood in the context of ensuring a 5 year housing supply over the plan period.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Affordable Housing - concerns re: viability/delivery, wording change re: FC24, 10% contribution in Ystradgynlais/South West Powys is not supported by evidence, AH threshold of 5 or more units (Policy H4) is also not supported by evidence or aligned to historic small site completion rates.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6417 Cymdeithas Yr Iaith Gyрмаeg

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6417.F3//H4 11/03/2016 Summary: LDP Affordable Housing target - FC12

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.47

Policy: H4

Issue: 2015: Deposit Draft-04. Housing - Affordable Housing

Question Representation Texts

Question: Council Response

Representation Texts: Mae'r cynrychiolaeth hwn yn gefnogol o gyfrannau tai fforddiadwy y Cynllun.

This representation is supportive of the affordable housing proportions of the Plan.

Council Response:

0

Question: 1 Representation Details

Representation Texts: Rydym yn croesawu'r cynnydd yn y gyfran o dai fforddiadwy a awgrymir.

We welcome the increase in the proportion of affordable houses that is suggested.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Ddim yn gymwys.

N/A

Council Response:

0

Question: 4 Summary of Representation

Representation Texts: Mae'r cynrychiolaeth hwn yn croesawu'r cynnydd yn y gyfran o dai fforddiadway a awgrymir.

This representation welcomes the increase in the proportion of affordable housing suggested.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.24 Apportioning Growth / Strategic Policies - FC13

78 Home Builders Federation Ltd

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

78.F5 11/03/2016 Summary: Apportioning Growth / Strategic Policies - FC13

Source: Type: Comment Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.12

Issue: 2015: Deposit Draft-03. Housing - Delivery and Infrastructure

Question Representation Texts

Question: Council Response

Representation Texts: These comments regarding village action plans are noted. The Council considers that it is appropriate to refer to Village Action Plans as being community led. It is intended for such plans to be adopted as Supplementary Planning Guidance (SPG), and therefore the plan must gain approval from the County Council. Whilst the County Council will need to be involved in this process, ensuring the involvement and support of the community should be at the heart of the process. The Village Action Plan would be community led in this sense, but it also is anticipated that communities, landowners and developers, will initiate and lead this process. The definition provided in the Glossary of the plan (Appendix 5), added at the focussed changes stage (FC63) explains the process for preparation and approval of a Village Action Plan. Village Action Plans that are adopted as SPG and have been subject of public consultation will carry appropriate weight in the planning process.

Whilst the concerns of the Representor in respect of the perceived added delay and risk that could be caused by the Village Action Plan process are noted, however the Council does not agree that this would necessarily be the case as such plans are aimed at adding certainty to the process by involving the community. The Plan makes provision for such sites to come forward subject to their accordance with a Village Action Plan, however it does not rely on such sites coming forward to meet housing needs. The Plan does not envisage or encourage large developments to come forward within Small Villages as it does not consider that they are appropriately located in terms of their sustainability and also in terms of their capacity to accommodate large scale developments. Furthermore, opportunities for larger infill development within small villages are likely to be relatively limited compared to the potential for larger infill in higher settlements within the hierarchy. However, the Council continues to consider it important to make provision for appropriate schemes to come forward where they have the support of the community to meet the needs and aspirations of that community.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Within the table that supports Strategic Policy SP1 at Section 3 small villages we question the use of the phrase 'community led Village action plan' is this the appropriate document to refer to? Such a plan is referred to as potential SPG's in TAN12 which would mean they need to be approved by the Council rather than the community. Clarification in the plan is required on the process involved in approving such a plan and concern is raised that it will lead to a delay in development coming forward and put off the smaller builders who will see it as a significant additional risk to the planning process. Both of these could result in the plan under delivering.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Clarification is required on the status and approval process for such plans.

Council Response: 0

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

78.F5 11/03/2016 Summary: Apportioning Growth / Strategic Policies - FC13

Source: Type: Comment Mode Oral (Examination) Status Maintained

Question: 3 Reason for request to speak at hearing

Representation Texts: I wish to be able to speak about the comment I have raised above in the inquiry as it enables the issue to be discussed between all parties.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Details requested on Village Action Plans.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

439 Newtown & Llanllwchaiarn Town Council

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

439.F1//SP2 08/03/2016 Summary: Apportioning Growth / Strategic Policies - FC13

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.15

Policy: SP2

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments.

The removal of the Montgomery Canal from the list in previos policy DM1(7.) as an "important tourism asset and visitor attraction" and its insertion generically within "green tourism asstes and infrastruture" in new policy SP2 has been reconsidered, however the Council does not agree that any further changes are necessary.

The LDP must be flexible and adaptable to changing circumstances over the life of the Plan. Policy SP2 is intended to protect assets from adverse effects of development and not to promote them but it is not the intentionof the policy to be "overly prescriptive" or "narrowly focussed" regarding the nature of strategic and material assets. Indeed, the policy wording is catch-all in that it refers to various types of named asset with the proviso text "including but not limited to..." and, as confirmed in the supporting text, the list is non-exhaustive. As such, it is not considered essential that the Montgomery canal is listed in its own right in any particular section of SP2.

Council Response:

0

Question: 1 Representation Details

Representation Texts: Strategic Policy SP2 – Safeguarding of Material Assets

Newtown and Llanllwchaiarn Town Council is of the view that the Montgomery Canal is already a major tourism asset with a navigable section around Welshpool, and use of the canal by narrow boats, canoes and coracles. In addition, it is being well used by walkers and cyclists, being part of National Cycle route 81.

The Canal and Rivers Trust, in conjunction with Welshpool Town Council, is working towards the reconnection of the Montgomery Canal to the main canal network in England, which will further raise the profile of the canal as a major tourism asset
Newtown Town and Llanllwchaiarn Council is of the view that the Montgomery Canal should be included in 'Major tourism assets and visitor attractions' in bullet list iii.
Newtown and Llanllwchaiarn Town Council notes that Canals and Waterways are mentioned in bullet list iv, but as the Montgomery Canal is the only canal in Powys outside the Brecon Beacon National Park it should be mentioned by name.

The relevance of the canal to Newtown residents is supported by evidence in the recent Newtown Community consultation for the Newtown Town Plan. 26% of consultees identified 'Restoration of the canal to Newtown' as a priority for the town. It was the sixth ranked priority overall.

Following the community consultation, Newtown and Llanllwchaiarn Town Council

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

439.F1//SP2 08/03/2016 Summary: Apportioning Growth / Strategic Policies - FC13

Source: Email Type: Objection Mode Written Status Maintained

passed a resolution at a full council meeting in October 2015 to this effect:
 1. 'This Council recognises the economic and regeneration opportunities that restoration of the Montgomery canal between Newtown and the wider canal network could bring.'
 2. 'This Council wishes to add its voice to the many organisations involved with the canal in asking Welsh Government to support the full restoration of the canal to Newtown.'
 3. 'This Council will work with the Canal and Rivers Trust, the Montgomery Canal Partnership and others to achieve this aim.'

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: a) The Montgomery Canal should be included in 'Major tourism assets and visitor attractions' in bullet list iii.
 b) Canals and Waterways are mentioned in bullet list iv, but as the Montgomery Canal is the only canal in Powys outside the Brecon Beacon National Park it should be mentioned by name.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Montgomery canal should be mentioed in Policy SP2 as a material asset.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

2660 Price, JR & MG

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

2660.F1//SP1 03/02/2016 Summary: Apportioning Growth / Strategic Policies - FC13

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.12

Policy: SP1 Issue: 2015: Deposit Draft-01. Preparation, Process and Plan Strategy

Question Representation Texts

Question: Council Response

Representation Texts: The Council notes your continuing concerns over the lack of LDP inset maps for settlements which have been identified as Small Villages.

The Council has been consistent in the approach to Small Villages from the early stages of Plan preparation. The reasons for the loss of development boundaries for Small Villages (which were "Villages" in the Preferred Strategy) were first set out in the Preferred Strategy 2012. The LDP has continued to evolve and the Council considers that development in this tier of the settlement hierarchy will be suitably restricted and controlled by Strategic Policy SP1 and Housing Policy H1. In the case of possible larger housing schemes on infill sites, there is opportunity for full public engagement in the preparation of the required Village Action Plan SPG, the discussions and outcomes of which should improve certainty at the local level for interested parties.

Whilst your concerns regarding the impact of potential development on the neighbouring land are recognised and appreciated and, as you have advised, were instrumental in a change to the Unitary Development Plan, the Council do not agree that the LDP should be changed so as to provide Inset Maps and Settlement Development Boundaries for the Small Village tier (which includes Felinfach).

The Council is aware that your Deposit Plan representations will be heard in full by the Inspector at the forthcoming Examination and ultimately a decision on the matter of Small Villages and the issues you have raised will be made through the Examination process.

Council Response: 0

Question: 1 Representation Details

Representation Texts: In our view the LDP should identify development boundaries for Small Villages, as in the former UDP, so that owners and occupiers of adjoining land can have a degree of certainty as to where development can or cannot take place in future. To argue, as the Council does in its Response to comments raised, that a "policy" approach rather than an inset map based approach provides flexibility is all very well and would no doubt make life easier for the planning officers, but the concomitant of that is unacceptable uncertainty for others such as us. Furthermore, the Council's contention that inset maps create "hope values" on land adjoining settlement boundaries defies logic. We would argue strongly that the opposite is the case.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Require Inset Maps for Small Villages.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

2660.F1//SP1 03/02/2016 Summary: Apportioning Growth / Strategic Policies - FC13

Source: Email

Type: Objection

Mode Written

Status Maintained

Question: 4 Summary of Representation

Representation Texts: For small villages to have inset maps and development boundaries.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

5704 Glandwr Cymru - Canal & River Trust in Wales

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5704.F1/SP2 10/03/2016 Summary: Apportioning Growth / Strategic Policies - FC13 SP2

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.15

Policy: SP2

Issue: 2015: Deposit Draft-01. Preparation, Process and Plan Strategy

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments. The removal of the Montgomery Canal from the list in previous policy DM1 (7.) as an "important tourism asset and visitor attraction" and its insertion generically within "green tourism assets and infrastructure" in new policy SP2 has been reconsidered, however the Council do not agree that any further changes are necessary.

The LDP must be flexible and adaptable to changing circumstances over the life of the Plan. It is not the intention of policy SP2 to be "overly prescriptive" or "narrowly focussed" regarding the nature of strategic and material assets. Indeed the policy wording is catch-all in that it refers to various types of named asset with the proviso text "including but not limited to" and, as confirmed in the supporting text, the list is non-exhaustive. As such, it is not considered essential that the Montgomery Canal is listed in its own right in any particular section of SP2.

The Council does not agree that the proposed Focussed Changes in any way "downgrade" the status or significance of the canal. The aims of the Montgomery Canal interest groups/Montgomery Canal Partnership regarding restoration and re-use are acknowledged. The Council recognises the potential of the canal and the wide range of benefits on offer to Powys. The LDP is supportive of appropriate and sensitive canal related development on the Montgomery Canal through specific tourism policy TD3. No further changes to the Plan are considered necessary in response to the Focussed Changes representation.

Council Response:

0

Question: 1 Representation Details

Representation Texts: FOCUSSED CHANGE: FC 13 proposes new introductory text and two new strategic policies. Glandwr Cymru wishes to comment in respect of the proposed new Strategic Policy SP2 – Safeguarding of Material Assets. Whilst the Trust has no objection to the introduction of this policy in principle, it would make the following detailed comment. Former Policy DM1 identified the Montgomery Canal as an "important tourism asset and visitor attraction". Such an approach was supported by Glandwr Cymru in its previous consultation response which commented on the multifunctional nature of the canal for leisure uses, as a visitor attraction and for its wildlife and heritage value. This designation has been amended under new Policy SP2 to that of a "green tourism asset". Glandwr Cymru considers this designation to be overly prescriptive, failing to take into account the important heritage and wider economic and tourism offer of the canal. It further considers that such an approach could result in too narrow a focus when determining impact on the canal and its operation with consequential harm on its wider characteristics and role.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Requested change:
Glandwr Cymru objects to Policy SP2 as written and requests that it be amended to either:
 combine paragraphs ii and iii into one new category of "important tourism and visitor attractions": or
 retitle paragraph iv as Tourism Assets and infrastructure

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5704.F1//SP2 10/03/2016 Summary: Apportioning Growth / Strategic Policies - FC13 SP2

Source: Email

Type: Objection

Mode Oral (Examination)

Status Maintained

Council Response:

0

Question: 3 Reason for request to speak at hearing

Representation Texts: Glandwr Cymru wishes to discuss the above recommended changes and their importance to the future of the Montgomery Canal in Powys.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6192 Gardiner, Mr Ben

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6192.F3 10/03/2016 Summary: Apportioning Growth / Strategic Policies - FC13

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.12

Issue: 2015: Deposit Draft-01. Preparation, Process and Plan Strategy

Question Representation Texts

Question: Council Response

Representation Texts: Focussed Change 13 (FC13) is a proposed strategic policy which does not refer specifically to Llanfyllin. However, the LDP does enable employment and economic development through a range of policies such as Policy E2, Policy R2 and Policy TD1. It is recognised that not every housing allocation is located near to an employment allocation, but opportunities for economic development are still possible in Llanfyllin and its surrounding area. Llanfyllin contains a range of services and is considered to be a suitable and sustainable location to accommodate further housing growth in accordance with the LDP's Sustainable Settlement Hierarchy.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Transport. Creating a dormitory town. Llanfyllin has limited employment possibilities and this has not been visited at all in the proposed LDP. Therefore, any new residents of working age will need to commute elsewhere for employment which is not sustainable and does not support the local economy as they will shop where they work.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Lack of employment opportunities in Llanfyllin therefore people will need to commute.

Council Response: 0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6192.F8//SP1 10/03/2011 Summary: Apportioning Growth / Strategic Policies - FC13

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.12

Policy: SP1

Issue: 2015: Deposit Draft-01. Preparation, Process and Plan Strategy

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6192.F8//SP1 10/03/2011 Summary: Apportioning Growth / Strategic Policies - FC13

Source: Email

Type: Objection

Mode Written

Status Maintained

Question *Representation Texts*

Question: **Council Response**

Representation Texts: The LDP includes allocations and a series of policies (including on employment, transport, open space, built heritage and tourism) that seek to enable development in Towns such as Llanfyllin in a sustainable manner.

Council Response:

0

Question: 1 **Representation Details**

Representation Texts: As made clear from Planning Policy Wales priorities for rural areas include: sustainable communities with access to affordable housing and access to high quality public services; creation of a thriving economy where agriculture is complimented by sustainable tourism and other forms of employment; and an attractive ecologically rich and accessible countryside. At present the proposed LDP fails completely to translate the directives of Planning Policy Wales in any meaningful manner to Llanfyllin and its environ. The town has potential due to its architecture, location and geography. Powys County Council has a duty of care to North Powys and its residents to ensure they are well served and that Powys County Council do not fall in to the 'Southcentric' pattern that is illustrated elsewhere in the UK.

Llanfyllin is clearly in decline as it has suffered the closure and transfer of a manufacturing employer, closure of the only bank and a leisure centre that is no longer open on Saturdays. Many shops have closed and the remaining businesses bemoan the lack of footfall throughout the week. This LDP is crucial for the town and its surroundings as there needs to be a clear, holistic vision if this decline is to be reversed.

This consultation to examine the Focused Changes does not detract from the fact that the earlier consultations were narrow and flawed. To expect that a holistic and comprehensive document that fulfils Welsh Assembly Governments guidelines, and can be considered safe, from these wholly inadequate public consultations is laughable.

Council Response:

0

Question: 4 **Summary of Representation**

Representation Texts: LDP fails to reflect National Policies for the town of Llanfyllin.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6235 CPRW Brecon & Radnor and Montgomery

Agent: **CPRW Brecon & Radnor**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F9//SP2 11/03/2016 Summary: Apportioning Growth / Strategic Policies - FC13 (SP2 Safeguarding of Material Assets)

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.15

Policy: SP2

Issue: 2015: Deposit Draft-01. Preparation, Process and Plan Strategy

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments.

The Council do not agree that the policy wording should be changed to offer more explicit protection regarding amenity and safety for user groups in respect of strategic/material assets. It is considered that the current policy wording making reference to the material asset and "its operation" is sufficient to cover the use of an asset (such as a trails, footpath, towpaths etc) without the need for more specific protection.

The Council does not therefore consider that any changes to the Plan should be made in respect of this Focussed Change Representation.

Council Response:

0

Question: 1 Representation Details

Representation Texts: 1.CPRW welcomes the inclusion of Strategic Policies which clarify the settlement hierarchy and especially welcomes the safeguarding of strategic assets in Policy SP2 (iii) & (iv).
2.CPRW would like to see explicit protection of the attributes which attract residents and visitors alike to enjoy Powys's tourism assets and we have proposed below a wording change to recognise importance of assessment of impacts on those attributes i.e. the enjoyment of a route and the ability to access the route without compromising personal safety. This recommended change is supported by PPW8 Paras 11.1.3, 11.1.8, 11.1.13 and also recognises the importance of these routes to residents and the considerable economic contribution made by outdoor tourists and by equestrians.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Insert additional wording in SP2 introduction and iv. as below (underlined):
Developments which impact on the following material assets will only be permitted where they will have no unacceptable adverse impact on the asset and its operation, including its safe use and enjoyment by all users:

-
- iv. Green tourism assets and infrastructure including but not limited to:
 - a. National Cycle Network routes.
 - b. National Trails and National Bridlepath Network.
 - c. Local Trails and Public Rights of Way.
 - d. Canals and Waterways.
 - e. Open access land and common land.
 - f. Potential future routes along linear features (such as disused railways).

The assessment of impacts of development on these assets is to include assessment of impact on their safe use and enjoyment by all users, and to recognise the vulnerability of

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F9//SP2 11/03/2016 Summary: Apportioning Growth / Strategic Policies - FC13 (SP2 Safeguarding of Material Assets)

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

impaired users and equestrians and horse drawn vehicles.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: All of the above: the need for measures to ensure protection of the amenity and safety of users of 'green tourism assets and infrastructure'.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6256 Montgomery Waterway Restoration Trust

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6256.F1 10/03/2016 Summary: Apportioning Growth / Strategic Policies - FC13

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.12

Issue: 2015: Deposit Draft-01. Preparation, Process and Plan Strategy

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments. The removal of the Montgomery Canal from the list in previous policy DM1 (7.) as an "important tourism asset and visitor attraction" and its insertion generically within "green tourism assets and infrastructure" in new policy SP2 has been reconsidered, however the Council do not agree that any further changes are necessary.

The LDP must be flexible and adaptable to changing circumstances over the life of the Plan. It is not the intention of policy SP2 to be "overly prescriptive" or "narrowly focussed" regarding the nature of strategic and material assets. Indeed the policy wording is catch-all in that it refers to various types of named asset with the proviso text "including but not limited to" and, as confirmed in the supporting text, the list is non-exhaustive. As such, it is not considered essential that the Montgomery Canal is listed in its own right in any particular section of SP2.

The Council does not agree that the proposed Focussed Changes in any way "downgrade" the status or significance of the canal. The aims of the Montgomery Canal interest groups/Montgomery Canal Partnership regarding restoration and re-use are acknowledged. The Council recognises the potential of the canal and the wide range of benefits on offer to Powys. The LDP is supportive of appropriate and sensitive canal related development on the Montgomery Canal through specific tourism policy TD3.

In the context of the LDP, it is considered that the term Green Tourism Asset is not limited to "paths or other areas for walking, cycling or riding" as suggested by your representation and a wider definition surrounding sustainable tourism assets/valuable infrastructure can be assumed. Overall Policy SP2 is designed to protect such assets from unacceptable adverse impacts of new development as opposed to curtailing appropriate well-designed development.

No further changes to the Plan are considered necessary in response to the Focussed Changes representation.

Council Response:

0

Question: 1 Representation Details

Representation Texts: Objection: 'Green tourism assets' in (iv) are paths or other areas for walking, cycling or riding. The canals of Powys are much more: as important tourism assets they bring boating and other visitors from far and wide, as well as towpath users, providing business opportunities for moorings and other boat services and facilities, pubs, restaurants and tearooms and visitor accommodation. The LDP should take account of present use and of the future opportunities as restoration of the Montgomery Canal connects mid-Wales to the 2,000-mile national waterway network. Canals should be classified as important tourism assets, not limited to their 'green' opportunities.

Comment: Canalside development should provide economic opportunities on non-allocated sites, including new small businesses which could benefit users of the canal or towpath. The meaning of "no unacceptable adverse impact" is not clear, but on the Montgomery Canal would be governed by the processes of the Conservation Management Strategy (to which Powys County Council is a signatory) managed by the Montgomery Canal Partnership (of which Powys County Council is a member). It should be noted that in the lifetime of the LDP the Montgomery Canal could be restored beyond Refail where development would be desirable, eg at the outskirts of Newtown to draw boating visitors to the town, and this may be within the flood plain (DM4 refers).

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6256.F1 10/03/2016 Summary: Apportioning Growth / Strategic Policies - FC13

Source: Type: Objection Mode Oral (Examination) Status Maintained

Supporting information: Rep accompanied by a letter on headed paper, signed by Chairman of the Trust - letter included the rep points noted on the rep form plus further comment: "The Montgomery Waterway Restoration Trust is a member of the Montgomery Canal Partnership, as is Powys County Council. For the best part of five years both were involved with other public authorities, statutory agencies and voluntary groups, on both sides of the border, in the preparation of the Conservation Management Strategy. The Strategy strikes a careful balance of restoration and conservation, respecting the built and natural heritage of the canal. We understand that changes to the deposited LDP should only be proposed where necessary to ensure the soundness of the finished LDP or to cope with a sudden or major change in local circumstances or new national policy. The Schedule, however, seems to go beyond this, with significant changes affecting the Montgomery Canal and its restoration as a navigable waterway. The amended LDP seems to deny Powys the full benefit of the restored Montgomery Canal as a multifunctional resource drawing visitors and residents to a lively canal scene (particularly enhancing the centre of Welshpool), to the use of the towpath and to an appreciation of the canal's special natural and built heritage".

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Canals should be classified as important tourism assets, not limited to their 'green' opportunities.

It should be acknowledged that canalside development should provide economic opportunities on non-allocated sites, including new small businesses which could benefit users of the canal or towpath.

It should be noted that in the lifetime of the LDP the Montgomery Canal could be restored beyond Refail where development would be desirable, eg at the outskirts of Newtown to draw boating visitors to the town, and this may be within the flood plain (DM4 refers).

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: It is important to emphasise the long-standing commitment of volunteers from across the country who have worked to restore navigation to the Montgomery Canal in Powys and Shropshire, the significant contribution made in the past by local authorities on both sides of the border, the national importance of the restoration, the publicity that the canal and (largely volunteer-led) events on the canal bring to the district, and the importance of the County Council continuing to play its full part in supporting the Montgomery Canal Partnership to achieve the widest benefits from the restoration of the Montgomery Canal.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Strategic Policy SP2 - does not cover the benefits/opportunity of the Montgomery Canal sufficiently.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6348 Dwr Cymru Welsh Water

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6348.F1//SP2 11/03/2016 Summary: Apportioning Growth / Strategic Policies - FC13 -(SP2 - Safeguarding of Material Assets)

Source: Email Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.15

Policy: SP2

Issue: 2015: Deposit Draft-01. Preparation, Process and Plan Strategy

Question *Representation Texts*

Question: Council Response

Representation Texts: Thank you for you comment, your support for the Focussed Change (Policy SP2 i. f) is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: FC13 New Strategic Policies
 Policy SP2 Safeguarding of Material Assets
 i. Welsh Water support the provision within the policy to ensure that development will only be permitted where they have no unacceptable impact on strategic infrastructure such as water supplies and utility infrastructure.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Support for Policy SP2 i.f - with regards to the protection of utility infrastructure.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6402 Montgomery Canal Partnership

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6402.F1//SP2 11/03/2016 Summary: Apportioning Growth / Strategic Policies - FC13

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.15

Policy: SP2

Issue: 2015: Deposit Draft-01. Preparation, Process and Plan Strategy

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments. The removal of the Montgomery Canal from the list in previous policy DM1 (7.) as an "important tourism asset and visitor attraction" and its insertion generically within "green tourism assets and infrastructure" in new policy SP2 has been reconsidered, however the Council do not agree that any further changes are necessary.

The LDP must be flexible and adaptable to changing circumstances over the life of the Plan. It is not the intention of policy SP2 to be "overly prescriptive" or "narrowly focussed" regarding the nature of strategic and material assets. Indeed the policy wording is catch-all in that it refers to various types of named asset with the proviso text "including but not limited to" and, as confirmed in the supporting text, the list is non-exhaustive. As such, it is not considered essential that the Montgomery Canal is listed in its own right in any particular section of SP2.

The Council does not agree that the proposed Focussed Changes in any way "downgrade" the status or significance of the canal. The aims of the Montgomery Canal interest groups/Montgomery Canal Partnership regarding restoration and re-use are acknowledged. The Council recognises the potential of the canal and the wide range of benefits on offer to Powys. The LDP is supportive of appropriate and sensitive canal related development on the Montgomery Canal through specific tourism policy TD3.

No further changes to the Plan are considered necessary in response to the Focussed Changes representation.

Council Response:

0

Question: 1 Representation Details

Representation Texts: FC13 proposes two new strategic policies. The effect would be to downgrade the significance of the Montgomery Canal. Former policy DM1 described the Canal as being "an important tourism assets and visitor attraction" which is consistent with the multi-functional use of the Canal, including its wildlife and heritage value. The suggested re-designation under new Policy SP2 as a "green tourism assets" coupled with other changes (e.g. in FC38) suggest that the nature conservation aspects should be pre-eminent. This would fail to take into account the important and wider economic and tourism and heritage aspects the Canal offers.

Background information

We are surprised to see so many changes to the LDP at this stage – i.e. when the LDP has been submitted for the Examination in Public. In particular, we note this is contrary to the Welsh Government's LDP Manual 2015 which advises that changes after Deposit should be avoided wherever possible unless needed to ensure the Plan's soundness or to cope with a sudden or major change in local circumstances or new national policy.

As a result, there have been significant changes proposed affecting the Montgomery Canal and its restoration as a navigable waterway. There does not appear to have been an effort to discuss these proposals with us. It appears the changes have been made as a result of representations made by other organisations which have not been challenged or otherwise discussed in order to test their validity.

This failure is all the more disappointing as Powys County Council is a member of this Partnership and is therefore presumed to be supportive of the 2005 Strategy mentioned below. Some of the changes e.g. in FC 13 and FC 38, appear to downgrade the status of the Canal from multi-functional use to being merely a green tourism asset with undue emphasis on the scientific and conservation designations (e.g. the proposed changes to TD3).

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6402.F1//SP2 11/03/2016 Summary: Apportioning Growth / Strategic Policies - FC13

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

We therefore request Powys County Council to make further changes so the LDP is consistent with its support for the restoration to navigation of the Canal, together with the economic benefits which this will bring.

We also ask that we are consulted on all matters relating to this LDP as it progresses by post and by email to the Chair (addresses below)

THE MONTGOMERY CANAL PARTNERSHIP

The Partnership was formed in 1999 and brought together various wildlife and navigational interests represented by voluntary trusts/societies and statutory authorities, such as Powys County Council, Shropshire Council and regulatory and other bodies. One of its purposes was to agree a way forward to effect full restoration of the whole of the Montgomery Canal from Welsh Frankton in England to Newtown in Wales. Parts of the Canal in England are a SSSI and in Wales it is an SAC. It took some years to reach agreement on that way forward and compromises were needed. Eventually, in 2005 an agreed Conservation Management Strategy was agreed and published. This has many elements but a key one was that the multi-functional aspects of the Canal was recognised and accepted and that full restoration was desirable. However, this was subject to a limit on the number of boat movements; in Wales, this was agreed at 2,500 boat movements a year. About half the 35 miles of the Canal has been restored; about 12 miles either side of Welshpool and about 7 miles in Shropshire. Since 2005, the Partnership has been seeking funding for further restoration works. A £3m bid is due to be submitted to the Heritage Lottery Fund later this year. Future plans involve the continued use of voluntary groups, community payback etc.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Requested change.

We object to Strategic Policy SP2 as currently drafted and request either

- a.The Canal is listed with other tourism assets and visitor attractions in sub-paragraph iii (we note the nearby Welshpool and Llanfair Railway and the nearby Powis Castle are named); or
- b.The heading of sub-paragraph iv is altered from "green tourism assets" etc to "Tourism assets" etc

Council Response:

0

Question: 3 Reason for request to speak at hearing

Representation Texts: About

- 1.the adverse effect of the proposed changes about the Montgomery Canal, apparently downgrading it from a multi –purpose waterway to one specialising only in scientific and conservation matters.
- 2.The proposed changes would be contrary to the 2005 Conservation Management Strategy agreed by the Montgomery Canal Partnership, membership of which includes Powys County Council
- 3.The significant number of changes being proposed at this stage of the process

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6414 Heulwen Trust

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6414.F1 08/03/2016 Summary: Apportioning Growth / Strategic Policies - FC13 - Strategic Policy SP2

Source: Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.12

Issue: 2015: Deposit Draft-01. Preparation, Process and Plan Strategy

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments. The removal of the Montgomery Canal from the list in previous policy DM1 (7.) as an "important tourism asset and visitor attraction" and its insertion generically within "green tourism assets and infrastructure" in new policy SP2 has been reconsidered, however the Council do not agree that any further changes are necessary.

The LDP must be flexible and adaptable to changing circumstances over the life of the Plan. It is not the intention of policy SP2 to be "overly prescriptive" or "narrowly focussed" regarding the nature of strategic and material assets. Indeed the policy wording is catch-all in that it refers to various types of named asset with the proviso text "including but not limited to" and, as confirmed in the supporting text, the list is non-exhaustive. As such, it is not considered essential that the Montgomery Canal is listed in its own right in any particular section of SP2.

The Council does not agree that the proposed Focussed Changes in any way "downgrade" the status or significance of the canal. The aims of the Montgomery Canal interest groups/Montgomery Canal Partnership regarding restoration and re-use are acknowledged. The Council recognises the potential of the canal and the wide range of benefits on offer to Powys. The LDP is supportive of appropriate and sensitive canal related development on the Montgomery Canal through specific tourism policy TD3.

No further changes to the Plan are considered necessary in response to the Focussed Changes representation.

Council Response: 0

Question: 1 Representation Details

Representation Texts: FC 13-New Strategic Policies —SP2

The Trust regrets that the Montgomery Canal is omitted from SP2 iii as the Major Tourism asset and visitor attraction within North East Powys which its restoration will achieve.

The Trust urges other Tourist Destinations and Attractions to support the prominence afforded to the canal by the LOP given the far reaching benefits for all tourist partners to be derived from its eventual restoration and connection to the national canal network.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Insert The Montgomery Canal within paragraph iii of SP2 as a Major tourism asset and visitor attraction.

Council Response: 0

25/04/2016

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6414.F1 08/03/2016 Summary: Apportioning Growth / Strategic Policies - FC13 - Strategic Policy SP2

Source: Type: Objection Mode Written Status Maintained

Question: 4 Summary of Representation

Representation Texts: Requests change to policy SP2 so as to include the Montgomery Canal as a major tourism asset.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6416 on behalf of Residents Group

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6416.F4 10/03/2016 Summary: Apportioning Growth / Strategic Policies - FC13

Source: Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.12

Issue: 2015: Deposit Draft-02. Housing - Distribution and Numbers

Question Representation Texts

Question: Council Response

Representation Texts: The Council does not agree with this Representation. Objections were made to the Deposit LDP in relation to housing site allocation P06 HA1 and the Representor does not raise new issues or evidence which lead the Local Planning Authority to change its conclusions with regard to the designation of Boughrood and Llyswen within the settlement hierarchy. The Council considers that the proposed settlement hierarchy is sound, based on a robust methodology with levels of growth and site allocations supported by a wide range of supporting evidence including access to a range of services. The Council maintains that the tiers of settlements identified accurately reflect their role, function and overall level of sustainability and it is appropriate to consider Boughrood and Llyswen in combination as a Large Village. The Council consider that the apportioned distribution of housing across the Settlement Hierarchy is based on a sound rationale which supports the delivery of the LDP strategy and the longer term viability of settlements considered capable of supporting sustainable growth and therefore does not agree that the site should be removed from the Plan.

Council Response: 0

Question: 1 Representation Details

Representation Texts: This change we feel does not represent Llyswen, the council for some reason have grouped the villages of Boughrood and Llyswen together as one large village. Powys County Council distinguishes Boughrood and Llyswen as two different community wards as Llyswen comes under Breconshire (Bronllys) and Boughrood comes under Radnorshire (Glasbury) therefore why should they then be treated as one village for planning purposes, this is incorrect, these are two separate small villages and as such as stated within the LDP Focussed Change Document page 13 point 3 - "The LDP does not identify development boundaries for small villages and there are no allocations for development within this tier".

We need answers as to what reasoning was behind grouping Boughrood and Llyswen together. As a small village Llyswen has a small amount of amenities and a primary school which is at full capacity. The main trunk road running through the village is a very busy and dangerous road, with many dwellings by the proposed plot HA1 having to park on the main road which is directly opposite a petrol station with poor pavement facilities. Added constraints to the village are the pending proposals with the council to shut the neighbouring high school Gwernfyfed and if this happens there will be no attraction for families to come and live in the village. Small business will in time move out and houses currently up for sale in the village are taking a considerable amount of time to sell.

We do not feel the village and amenities can sustain any more large developments.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: For the council and Welsh Government to recognise all the points raised in the above and reflect this in the LDP and for the plot HA1 to be removed from the LDP. Answers to our representation questions raised last year are yet to be answered.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6416.F4 10/03/2016 Summary: Apportioning Growth / Strategic Policies - FC13

Source: Type: Objection Mode Written Status Maintained

Question: 4 Summary of Representation

Representation Texts: Seeking removal of site allocation P06 HA1. Seeking re-categorisation of settlements (Large Village to Small Village).

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6417 Cymdeithas Yr Iaith Gyрмаeg

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6417.F4//SP1 11/03/2016 Summary: Apportioning Growth / Strategic Policies - FC13

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.12

Policy: SP1

Issue: 2015: Deposit Draft-01. Preparation, Process and Plan Strategy

Question Representation Texts

Question: Council Response

Representation Texts: Mae'r gwrthwynebiad a wnaed gan y Cynrychiolydd i bolisi strategol FC13 wedi'i nodi. Fodd bynnag, nid yw'r rheswm dros hyn yn glir. Mae strategaeth aneddiadau'r CDLI yn ceisio cyfeirio datblygiadau i'r lleoliadau mwyaf cynaliadwy o fewn y Sir h.y. trefi a phentrefi mawrion. Nid yw'r CDLI yn cyfeirio at grynodi datblygiad o fewn pentrefi mawrion o anghenraid. Mae Polisi SP1 yn cyfeirio at gyfran sylweddol o ddatblygiadau tai newydd yn cael eu cyfeirio at y pentrefi mawrion; fodd bynnag mae'n nodi hefyd y bydd datblygiadau'n cael eu canolbwyntio'n bennaf ar Drefi, gyda dim ond 20% o ddatblygiadau tai'r Sir yn cael eu cynllunio ar gyfer pentrefi mawrion. Mae'r cyfiawnhad ategol i'r strategaeth hon yn esbonio ei fod yn ceisio cyfrannu tuag at batrwm cynaliadwy o ddatblygiad ar gyfer Powys, gyda phentrefi mawrion yn cael eu hystyried i fod yn briodol yn gyffredinol ac yn gallu cefnogi cyfran o dwf o ran eu maint, swyddogaeth, cymeriad, cysylltiadau trafnidiaeth, a gallu cymdeithasol ac amgylcheddol.

The objection made by the Representor to FC13 strategic policy is noted, however the reason for this is unclear. The LDP's settlement strategy seeks to direct developments to the most sustainable locations within the County i.e. towns and large villages. The LDP does not refer to concentrating developments in large villages as such. Policy SP1 refers to a significant proportion of new housing development being directed to large villages, however it also states that development will be mainly focused in Towns, with only 20% of the County's housing development being planned for large villages. The supporting justification for this strategy explains that it seeks to contribute to a sustainable pattern of development for Powys, with large villages being generally considered to be appropriate and able to support a proportion of growth in terms of their size, function, character, transport links, social and environmental capacity.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Nid ydym yn cytuno â chanolbwyntio datblygiadau mewn "Pentrefi Mawr".

We do not agree with concentrating developments in "Large Villages".

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: I beidio canolbwyntio datblygiadau mewn pentrefi mawr.

To not concentrate developments in large villages.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Gwrthwynebiad i'r strategaeth arfaethedig i ganolbwyntio datblygiadau mewn pentrefi mawr.

25/04/2016

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6417.F4//SP1 11/03/2016 Summary: Apportioning Growth / Strategic Policies - FC13

Source: Email

Type: Objection

Mode Oral (Examination)

Status Maintained

Objection to the proposed strategy to concentrate development in large villages.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.25 Policies for Making Planning Decisions - FC14

6235 CPRW Brecon & Radnor and Montgomery *Agent:* **CPRW Brecon & Radnor**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F10 11/03/2016 Summary: Policies for Making Planning Decisions - FC14

Source: Email Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.16

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: Thanks for your comment, your support for the Focussed Change is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: CPRW welcomes the revision of DM1 to DM17 which makes for a more robust and focussed set of policies enabling planners, applicants and community members to 'know where they are'.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: CPRW welcomes the revision of DM1 to DM17 which makes for a more robust and focussed set of policies enabling planners, applicants and community members to 'know where they are'.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.26 Development Management Policies - FC15

27 Clwyd Powys Archaeological Trust

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

27.F1//DM16 10/03/2016 Summary: Development Management Policies - FC15

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.38

Policy: DM16

Issue: 2015: Deposit Draft-10. Welsh Language and Culture and Heritage

Question Representation Texts

Question: Council Response

Representation Texts: The objection raised to policy DM16 is noted. It is noted that there will be a statutory duty placed on the Welsh Government to create and keep up-to-date a Historic Environment Record by the emerging Historic Environment (Wales) Bill 2015, which has since been passed by the National Assembly and has gained Royal Assent. Reference is already made within the supporting justification to policy DM16 to the need to give regard to the information held on the Historic Environment Record. In the event that it is considered to be necessary to provide additional reference to the need to give regard to the information held on the Historic Environment Record, the Council would agree to inclusion of this within the policy itself. However, it does not consider it to be appropriate to refer to the HER within the list set out of sites and features, as it is not intended to give statutory protection to non-designated sites and features on the HER. Furthermore, although the HER is intended to provide information and the evidence needed for informed decisions to be made on the historic environment, no detail is provided within the legislation or within the draft complementary guidance as to how the information held is to be used to inform decision-making in relation to local development plans or in considering planning applications. Consultation is currently taking place on proposed changes to PPW Chapter 6 The Historic Environment, however it is noted that no detail is provided within this document regarding the use of the HER. It is understood that the Welsh Ministers will be issuing guidance as to how local authorities and other bodies should use the historic environment records in their functions. In the absence of such guidance, the Council considers that it would be more appropriate to refer to the HER later within the policy, after 'proposals should also have regard to other non-designated heritage assets of significance, including any locally listed buildings, and their settings' additional text should read 'and to any sites and features noted within the Historic Environment Record'. It is also intended for further guidance and detail to be provided within the proposed Supplementary Planning Guidance on 'Historic Environment including the Historic Environment Records'.

Council Response: 0

Question: 1 Representation Details

Representation Texts: CPAT generally welcomes the intention of the LDP to protect, and where practicable enhance, the historic environment. I would however raise one objection to the suggested Policy DM16 which while making specific reference to a list of protected historic environment features (which the LDP will have regard to), makes no mention of those sites within the Historic Environment Record for Powys. As you may be aware the Historic Environment (Wales) Act 2016 charges Welsh Ministers with the statutory responsibility for maintaining an up-to-date Historic Environment Record for each local authority area, and it is Ministers intention to issue guidance on the use of HERs by bodies, including local authorities, in the exercise of their functions. It is assumed that this guidance will say that local authorities should have regard to the content of the Historic Environment Record in making planning decisions.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: The following suggested rewording of Policy DM 16 might be considered

25/04/2016

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

27.F1//DM16 10/03/2016 Summary: Development Management Policies - FC15

Source: Email Type: Objection Mode Written Status Maintained

1. Development proposals must not unacceptably adversely affect, either on their own or in combination with existing or approved development, the following sites and features, including their essential settings and significant views into and out from:

- i. Scheduled Ancient Monuments.
- ii. Listed Buildings.
- iii. Conservation Areas.
- iv. Registered Parks and Gardens of Special Historic Interest.
- v. Historic Battlefields.
- vi. Registered Landscapes of Outstanding and Special Historic Interest.
- vii. Sites listed in the Regional Historic Environment Record for Powys

Proposals relating to, or affecting, the above sites and features of the historic environment will be assessed in accordance with national guidance and legislation. Proposals should also have regard to other non-designated heritage assets of significance, including any locally listed buildings, and their settings.

I appreciate that this intention is expressed further on in the section in paragraph 4.2.75, but I feel it is important that it should also be noted within the Policy.

Council Response:

0

Question: 4 Summary of Representation

Representation Texts: Request for sites in the Regional Historic Environment Record for Powys to be referred to in policy DM16 in order to reflect the Historic Environment (Wales) Act 2016 as Minister's guidance is to require LPA's to have regard to the content of the Historic Environment Record in making planning decisions. It is noted that this intention is expressed in para. 4.2.75. however it should be noted in the policy itself.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

439 Newtown & Llanllwchaearn Town Council

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

439.F2//DM16 08/03/2106 Summary: Development Management Policies - FC15

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.38

Policy: DM16

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question *Representation Texts*

Question: Council Response

Representation Texts: These comments are noted, however the Council does not consider it necessary to refer to specific types of sites or features of the historic environment, such as industrial heritage, within the policy. Any sites and features of importance both nationally and locally within the historic environment will be captured by this policy, regardless of their particular type.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Development Management Policy DM15 – Protection and Enhancement of the Historic Environment

Policy clause 1 bullet list

Newtown and Llanllwchaearn Town Council is of the view that a category should be added to policy clause 1 bullet list for 'Industrial Heritage of Local or National Importance'.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: a) A category should be added to policy clause 1 bullet list for 'Industrial Heritage of Local or National Importance'

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Include reference to 'Industrial Heritage of Local and National Importance in Policy DM14

Council Response: 0

Page 138

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

1481 The Coal Authority

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1481.F1//DM7 11/03/2016 Summary: Development Management Policies - FC15 (DM7 Minerals Safeguarding)

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.30

Policy: DM7

Issue: 2015: Deposit Draft-08.Minerals, Waste and Renewable Energy

Question *Representation Texts*

Question: Council Response

Representation Texts: This Representation is noted. The Council welcomes the support of the Representer for the new Policy DM7 defining Mineral Safeguarding Areas.

Following further discussions with the Coal Authority the following revised wording of the policy is proposed for consideration by the Planning Inspector as a Matters Arising Change:

"Policy DM7 – Minerals Safeguarding

Mineral Safeguarding Areas have been designated for aggregates and surface coal and these are shown on the Proposals Map.

Non-mineral development proposals within mineral safeguarding areas will only be permitted where it can be demonstrated by the developer that:

- i) The mineral resource is not of potential future value; or
- ii) The development is of a temporary nature and can be completed and the site restored to a condition that would allow for future extraction; or
- iii) The mineral can be extracted satisfactorily prior to the incompatible development taking place ; or
- iv) Extraction would not meet the tests of environmental acceptability or community benefit as set out in National Policy; or
- v) There is an overriding need in the public interest for the development; or
- vi) The development is householder development or of a very minor nature such as extensions to dwellings, fences, walls or bus shelters."

Council Response:

0

Question: 1 Representation Details

Representation Texts: Comment - The Coal Authority welcomes the reference to defined Mineral Safeguarding Areas (MSAs) within Policy DM7. Whilst we have not had sight of the revised Proposals Map referred to in the policy, this should define the MSAs relating to coal in accordance with The Coal Authority's Surface Coal Resource data which has been made available to the LPA.

We consider that it would be beneficial for the wording of the policy to be revised in order to provide greater clarification on the instances when new non-mineral surface development will be permitted within MSAs.

The Coal Authority welcomes the opportunity to make these comments. We are, of course, willing to discuss the comments made above in further detail if desired and would be happy to negotiate alternative suitable wording to address any of our concerns. The Coal Authority would be happy to enter into discussions ahead of any examination hearing process to try and reach a negotiated position if this were considered helpful.

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1481.F1//DM7 11/03/2016 Summary: Development Management Policies - FC15 (DM7 Minerals Safeguarding)

Source: Email Type: Objection Mode Written Status Maintained

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Change Requested – Amend Policy DM7 to read:
 Policy DM7 – Minerals Safeguarding
 Mineral Safeguarding Areas have been designated for aggregates and surface coal and these are shown on the Proposals Map. Within the Mineral Safeguarding Areas where non-mineral surface development is proposed the prevention of the sterilisation of the mineral resources will be considered. New development will only be permitted where:
 i. The mineral resource is not of potential value; or
 ii. The mineral resource can be extracted prior to development; or
 iii. Extraction would not meet the tests of environmental acceptability or community benefit as set out in National Policy; or
 iv. The development is of a temporary nature and can be completed and the site restored to a condition that would allow for future extraction; or
 v. The development is householder development or of a very minor nature such as extensions to dwellings, fences, walls or bus shelters.
 Reason – To comply with MTAN2

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

4369 The Theatres Trust

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

4369.F1//DM11 03/03/2016 Summary: Development Management Policies - FC15 - comment re new definition for glossary and DM11

Source: Email Type: Not duly made Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Policy: DM11

Issue: 2015: Deposit Draft-06.Transport and Community Facilities

Question *Representation Texts*

Question: Council Response

Representation Texts: This representation is considered not to be duly made as it does not relate to a specific focussed change in relation to the Glossary (FC63). The Council considers that paragraph 4.12.5 adequately defines community facilities and no amendment to the LDP is necessary. However, this comment was made at the Deposit Stage and if the Inspector considered that the definition should be included in the Glossary as a minor editing change, the Council would have no objection.

Council Response: 0

Question: 1 Representation Details

Representation Texts: The Trust continues to recommend that a definition for community facility' is provided in the glossary. This is needed to provide clarity to proposed policy DM11 and CI to clearly identify what uses they apply to. We recommend this succinct all-inclusive description which would obviate the need to provide examples: community facilities provide for the health and wellbeing, social, educational, spiritual, recreational, leisure and cultural needs of the local community.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: We recommend this succinct all-inclusive description which would obviate the need to provide examples: community facilities provide for the health and wellbeing, social, educational, spiritual, recreational, leisure and cultural needs of the local community.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Add a definition for community facilities into the Glossary.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

5201 Montgomeryshire Wildlife Trust

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5201.F1//DM2 04/03/2016 Summary: Development Management Policies - FC15 - Comment on Policy DM2

Source: Email Type: Comment Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.21

Policy: DM2

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question *Representation Texts*

Question: Council Response

Representation Texts: The existing wording: "Wildlife Trust Reserves and Sites" is inclusive of 'Local Wildlife Sites' as these are assessed by the three Wildlife Trusts in the County. As such, the Council does not recommend any fuerther wording amendments in this respect.

Council Response:

0

Question: 1 Representation Details

Representation Texts: Local Wildlife Sites should be listed along with vii. Local Nature Reserves, viii. Wildlife Trust Reserves and Sites. ix. Regionally Important Geological Sites and Geological Conservation Review Sites.
4.2.8 – This text needs amending. See suggested change in the box below.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Paragraph 4.2.8 suggested amended text:

In addition to [insert: Local Wildlife Sites which have been designated having passed a standard set of criteria justifying their importance for wildlife, there may be other sites which have yet to be identified or designated, but meet the same ecological standards. Developers and applicants therefore must be made aware that LWS will be protected on the basis of agreed selection criteria rather than historic designation alone. A basic site assessment, including a data search with the Local Record Centre, should be carried out to determine how the proposal might relate to or impact upon any LWS; consultation with the County Ecologist and/or an ecological consultant may be necessary].

Council Response:

0

Question: 4 Summary of Representation

Representation Texts: Comment concerning status of Local Wildlife Sites

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

5704 Glandwr Cymru - Canal & River Trust in Wales

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5704.F2/DM 1 11/03/2016 Summary: Development Management Policies - Objection FC15 Policy DM1

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.20

Policy: DM 1

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments. Please note that it is not the purpose of the LDP to repeat national policy. Planning obligations may only be used where they meet the tests of being: necessary to make the development acceptable in planning terms; directly related to the proposed development and fairly and reasonably related in scale and kind to the development. Clearly one of the main roles of planning obligations is to "offset negative consequences" so as to make development acceptable in land use planning terms. The Council considers that the current policy wording and supporting text in DM1 is sufficiently detailed and does not agree that any changes to the Plan are necessary in response to this Focussed Changes representation. The Council considers that, as the Plan is to be read as a whole, the Montgomery Canal and it's infrastructure will furthermore be appropriately protected through a number of LDP policies, including those relating to material assets, the natural environment, European protected sites, tourism and heritage assets.

Council Response:

0

Question: 1 Representation Details

Representation Texts: Focussed Change: FC15 proposes that that Section 4.2 of the LDP is re-written to disaggregate the three previous Development Management policies (DM1-DM3) into specific policies in order to better articulate these policies and provide greater legibility. Glandwr Cymru is surprised at the extent of the propped changes to the plan at such a late stage in its production in the context of guidance in the Welsh Government's LDP Manual 2015 which states that changes after Deposit should be avoided wherever possible unless needed to ensure the Plan's soundness or to cope with a sudden or major change in local circumstances or new national policy.

Glandwr Cymru would make the following detailed comments

Policy DM1 – Planning Obligations

Glandwr Cymru does not consider that Policy DM1 as written fully reflects Planning Policy Wales (PPW), paragraph 3.7.1 of which states that that contributions from developers may be used to :

- offset negative consequences of development,
- help meet local needs, or
- secure benefits which will make development more sustainable.

Glandwr Cymru has previously commented that new development in the vicinity of the Montgomery Canal may place an additional burden on the canal infrastructure, for example as a result of the increased use of the towpath by pedestrians and cyclists, increased vehicular traffic crossing historic canal bridges or increased water levels due to the introduction of surface water run-off. It is considered that the need for developers to contribute towards necessary improvements to mitigate the adverse impact of development upon the canal infrastructure should be fully considered by developers and is consistent with the guidance contained in PPW. Whist such an approach is now reflected in the supporting text and to be welcomed it is considered that Policy DM1 should be amended to better reflect PPW by the inclusion of a new criteria iii as below:

Council Response:

0

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5704.F2//DM 1 11/03/2016 Summary: Development Management Policies - Objection FC15 Policy DM1

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Question: 2 Changes needed to the Focussed Change

Representation Texts: Requested change:
Glandwr Cymru requests that Policy DM1 is amended to include a new criteria iii as follows to better reflect the guidance contained in PPW
"iii appropriate measures are undertaken to offset negative consequences of development."

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: Glandwr Cymru wishes to discuss the above recommended changes and their importance to the future of the Montgomery Canal in Powys.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Objection to FC15 - Policy DM1 Planning Obligations

Council Response: 0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5704.F3//DM5 11/03/2016 Summary: Development Management Policies - FC15 (Policy DM5 - Flood Prevention Measures and Land Drainage)

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.27

Policy: DM5

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: The Council agree this policy is not meant to be applied to canals.

The council recommend a paragraph is inserted as follows:
4.2.31a - It is not the intention for this Policy to be applied to canals.

Council Response: 0

Question: 1 Representation Details

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Status	Modified	Summary
5704.F3//DM5		11/03/2016	<input type="checkbox"/>			Summary: Development Management Policies - FC15 (Policy DM5 - Flood Prevention Measures and Land Drainage)
Source: Email		Type: Objection		Mode	Oral (Examination)	Status Maintained
<hr/>						
Representation Texts:	<p>Glandwr Cymru objects to criteria v of new policy DM5 which states that “v) Any developments located adjacent to a watercourse should leave an appropriate undeveloped buffer strip, maintaining the watercourse and the immediate riparian zone as an enhancement feature and allowing for routine maintenance. The width of any buffer strip should be agreed with the relevant authorities on a site by site basis. Such sites should have a maintenance strategy for clearing and maintaining the channel, with particular regard to structures such as trash screens and bridges. “</p> <p>This criteria relates to all watercourses but is not considered to be necessarily appropriate in respect of all development adjacent to a canal.</p> <p>Leaving an undeveloped buffer strip may be impractical where there is a towpath. Where a development is on the non-towpath side, it may be appropriate (e.g. for a retail business) to provide moorings for boats and otherwise encourage public access to the water. There are many examples of appropriate development bordering a canal with a hard edge and it is considered that the policy would benefit from a greater degree of flexibility to allow for such circumstance.</p>					
Council Response:						0
<hr/>						
Question: 2	Changes needed to the Focussed Change					
Representation Texts:	<p>Requested Change Glandwr Cymru objects to the proposed wording of the supporting text of Policy DM5 and requests that it be amended to either be more specific in terms of the waterways to which it refers (ie rivers) .</p> <p>v) Any developments located adjacent to a [insert: natural] watercourse should, where [insert: appropriate], leave an [remove: appropriate] undeveloped buffer strip, maintaining the watercourse and [insert: any] [remove: the] immediate riparian zone as an enhancement feature and allowing for routine maintenance. The width of any buffer strip should be agreed with the relevant authorities on a site by site basis. Such sites should have a maintenance strategy for clearing and maintaining the channel, with particular regard to structures such as trash screens and bridges. “</p>					
Council Response:						0
<hr/>						
Question: 3	Reason for request to speak at hearing					
Representation Texts:	Glandwr Cymru wishes to discuss the above recommended changes and their importance to the future of the Montgomery Canal in Powys.					
Council Response:						0
<hr/>						
Question: 4	Summary of Representation					
Representation Texts:	Objection to FC15 - Policy DM5					
Council Response:						0

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Consultation Report Appendix 4: FC Representations & Council Responses

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

5704.F4//DM6 11/03/2016 Summary: Development Management Policies - FC15 - Objection to DM6

Source: Email

Type: Objection

Mode Oral (Examination)

Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.29

Policy: DM6

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question *Representation Texts*

Question: **Council Response**

Representation Texts: The Council recommends the insertion of the word 'unacceptable' before ii) adverse and iv) disturbance. The Council feels that this will make the policy flexible enough without compromising its intentions.

Council Response:

0

Question: 1 **Representation Details**

Representation Texts: Glandwr Cymru objects to reference in the supporting text to policy DM6 (para 4.2.37) that "Dark wildlife movement corridors should be left, e.g. no external lighting of boundary habitat features, wildlife corridors, and watercourses." Such a prescriptive approach may not necessarily be appropriate in all circumstances, such as developments adjacent to a canal in an urban area, and is considered to be more prescriptive than the policy wording which states simply that proposals involving external lighting will only be permitted when a lighting scheme has been provided that demonstrates that the lighting will not individually or cumulatively cause harm. It is considered that this wording could usefully be amended to provide greater flexibility in accordance with the wording of the policy.

Council Response:

0

Question: 2 **Changes needed to the Focussed Change**

Representation Texts: Requested change:
Glandwr Cymru objects to the proposed wording of the supporting text of Policy DM6 and requests that the supporting text be amended to provide greater flexibility consistent with the policy wording

"Dark wildlife movement corridors should [insert: normally] be left [insert: unlit to avoid any individual or cumulative harm], e.g. no external lighting of boundary habitat features, wildlife corridors, and watercourses

Council Response:

0

Question: 3 **Reason for request to speak at hearing**

Representation Texts: Glandwr Cymru wishes to discuss the above recommended changes and their importance to the future of the Montgomery Canal in Powys.

Council Response:

0

Question: 4 **Summary of Representation**

Representation Texts: Objection to FC15 Policy DM6 Dark Skies

Council Response:

0

25/04/2016

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by: Representation No

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Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5704.F4//DM6 11/03/2016 Summary: Development Management Policies - FC15 - Objection to DM6

Source: Email

Type: Objection

Mode Oral (Examination)

Status Maintained

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6192 Gardiner, Mr Ben

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6192.F5//DM1 10/03/2016 Summary: Development Management Policies - FC15 - Open Space

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Site: 1248//P32 HA2 Maesydre Field, Llanfyllin

Policy: DM1

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: Paragraph 4.2.19 is referring to the standards that need to be applied when a planning permission is submitted that will result in the loss of an Open Space. Policy H14 - Open Space Provision in Housing Development (it does not appear in the Focussed Changes Schedule as it was not subject to any changes since Deposit) is the policy that will be applied to new housing developments of more than 10 dwellings, therefore there will be a requirement placed on the allocations in Llanfyllin to incorporate an element of Open Space - as identified in the Open Space Assessment.

Council Response: 0

Question: 1 Representation Details

Representation Texts: 4.2.19 Refers to the accessibility of play space and informal recreation. While it is acknowledged that the current play area is within the 400 metres walking distance of the proposed entrance to the new development this route is along the A490 road carrying heavy goods and farm vehicles and therefore can not be considered as a safe route.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Mis-match between para 4.2.19 (Open Space Standards) and Allocation P32 HA2

Council Response: 0

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6235 CPRW Brecon & Radnor and Montgomery

Agent: **CPRW Brecon & Radnor**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F13//DM2 11/03/2016 Summary: Development Management Policies - FC15

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.21

Policy: DM2

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: The Council has provided for the protection of public rights of way in Powys through Policy SP2 - Safeguarding of Material Assets. This policy covers the protection of iv. Green tourism assets and infrastructure including but not limited to: a. National Cycle Network routes. b. National Trails and National Bridlepath Network. c. Local Trails and Public Rights of Way. d. Canals and Waterways. e. Open access land and common land. f. Potential future routes along linear features (such as disused railways).

Council Response: 0

Question: 1 Representation Details

Representation Texts: The LDP has inadequate protection and enhancement of rights of way throughout Powys

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Recommended change to make plan sound:
 Include major rights of way by adding a fifth section to DM2:

 After 4..Inclusion of the following paragraph within Policy DM2
 5. Major public rights of way:
 i. National trails (e.g. Glyndwr's Way and Offa's Dyke)
 ii. National rides (e.g. Cross Wales, Red Dragon, BHS promoted routes)
 iii. Regional trails (e.g. Kerry Ridgeway)

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: The need to ensure clear protection of major rights of way for the benefit of Powys residents, visitors and the tourist economy of rural Powys.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: The need to include major rights of way by adding a fifth section to DM2:

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F13//DM2 11/03/2016 Summary: Development Management Policies - FC15

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Council Response: 0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F21//DM16 10/03/2016 Summary: Development Management Policies - FC15 - DM16

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.38

Policy: DM16

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: 1) The meaning of a locally listed building is described in the glossary to the LDP as 'any building or structure contained on any forthcoming list of locally important buildings or structures compiled by the Authority'. Historic Environment legislation makes provision for Local Planning Authorities to identify historic assets of special local interest and develop and publish a list of these assets. This would be a separate list and process to the Historic Environment Record. It is intended to prepare Supplementary Planning Guidance on Buildings and Structures of local importance.

2) This request is noted, however the Council does not agree that reference should be made to the historic landscape classification a set out in LANDMAP. The impact of a development on the historic landscape forms part of assessing the landscape impact of the development and the classification of the historic landscape layer of LANDMAP is used for that purpose, which takes into account direct and indirect effects on landscape features and on the character and appearance of the landscape. The impact of development on the historic environment is a different and separate consideration in planning terms as this focuses on the impact on specific important historic assets and their settings.

Council Response: 0

Question: 1 Representation Details

Representation Texts: 1) Policy DM16: CPRW would welcome clarification of the term 'locally listed buildings'. We believe this refers to assets within the Historic Environment Record as referred to by Clwyd Powys Archaeological Trust in their representation of the Draft Deposit LDP.

2) Paragraph 4.2.74: The Historic landscape classification within Landmap should be included.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: 1) For clarity and effectiveness the term 'locally listed buildings' needs explanation.

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F21//DM16 10/03/2016 Summary: Development Management Policies - FC15 - DM16

Source: Type: Objection Mode Oral (Examination) Status Maintained

2) insert after 'townscapes and landscapes': 'with special regard to Historic Landscapes awarded high or outstanding importance in Landmap'

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: Above, if not remedied.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Request for clarification of the term locally listed buildings and request for inclusion of reference to Landmap classification of historic landscape

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6256 Montgomery Waterway Restoration Trust

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6256.F2//DM1 10/03/2016 Summary: Development Management Policies - FC15

Source: Type: Comment Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Policy: DM1

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: The Council disagree with this representation. Policy DM2 acknowledges the importance of designated international sites such as SACs which is a requirement of the Conservation of Habitats and Species Regulations 2010 (as amended). The Council supports the ongoing sensitive restoration of the canal and the need to protect the Montgomery Canal SAC to satisfy the requirements of the Habitats Directive. The Focussed Changes have had an overall positive impact upon the soundness of the Plan and therefore, no further changes are considered necessary.

Council Response:

0

Question: 1 Representation Details

Representation Texts: DM2/DM16 -

FC15/DM2: Comment: Offline reserves have been used on the Montgomery Canal for over thirty years. Following survey work (Newbold 2003) which demonstrated that where fully managed, reserves have a flora representative of the adjacent length of the canal, the Conservation Management Strategy adopted a programme of in-line conservation and off-line reserves with special protection measures for existing concentrations of rare species. Research by Liverpool University (Eaton and Willby 2002) was used to predict the extent of new open water habitat required. It follows that there may be occasions where works to create extended areas of habitat may affect existing protected areas.

FC15/DM16:Comment: The Montgomery Canal is one of the best preserved canals of the waterway network of Wales and England and avoided a much of what happened to others later, with the surviving range of structures forming a relatively complete record of a once thriving rural canal. The Conservation Management Strategy (para 3.2.1) records that the canal has about three times the national average of listed buildings per mile of the canals of the Canal & River Trust, reflecting the rural nature of the canal and the relative lack of development or early unsympathetic restoration. A 1994 heritage survey identified a further seventy site records, including outbuildings and original properties too modified to merit listing, but still of local importance. The survival rate is mirrored in the number of smaller structures, including for example cast iron signs, crane bases and original sheds. The Strategy also notes that is important to include the canal channel as the continuous link that binds the history and other buildings together, an engineering structure in its own right and with a major influence on the built heritage and vernacular architecture in the canal corridor.

It should be noted that the Conservation Management Strategy recorded (para 3.1.5) that support for designation of a Conservation Area covering the whole canal had been given in principle by the Council's planning committee. The Montgomery Canal should therefore be added to the list of protected sites and features.

Supporting information: Rep accompanied by a letter on headed paper, signed by Chairman of the Trust - letter included the rep points noted on the rep form plus further comment: "The Montgomery Waterway Restoration Trust is a member of the Montgomery Canal Partnership, as is Powys County Council. For the best part of five years both were involved with other public authorities, statutory agencies and voluntary groups, on both sides of the border, in the preparation of the Conservation Management Strategy. The Strategy strikes a careful balance of restoration and conservation, respecting the built and natural heritage of the canal.

We understand that changes to the deposited LDP should only be proposed where necessary to ensure the soundness of the finished LDP or to cope with a sudden or major change in local circumstances or new national policy. The Schedule, however, seems to go beyond this, with significant changes affecting the

Consultation Report Appendix 4: FC Representations & Council Responses

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6256.F2//DM1 10/03/2016 Summary: Development Management Policies - FC15

Source: Type: Comment Mode Oral (Examination) Status Maintained

Montgomery Canal and its restoration as a navigable waterway. The amended LDP seems to deny Powys the full benefit of the restored Montgomery Canal as a multifunctional resource drawing visitors and residents to a lively canal scene (particularly enhancing the centre of Welshpool), to the use of the towpath and to an appreciation of the canal's special natural and built heritage".

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: It should be noted that there may be occasions where works to create extended areas of habitat may affect existing protected areas. The Montgomery Canal should be added to the list of protected sites and features.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: It is important to emphasise the long-standing commitment of volunteers from across the country who have worked to restore navigation to the Montgomery Canal in Powys and Shropshire, the significant contribution made in the past by local authorities on both sides of the border, the national importance of the restoration, the publicity that the canal and (largely volunteer-led) events on the canal bring to the district, and the importance of the County Council continuing to play its full part in supporting the Montgomery Canal Partnership to achieve the widest benefits from the restoration of the Montgomery Canal.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Suggested Changes to Policies DM2 and DM16 - additional wording re: Montgomery Canal.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6315 Natural Resources Wales

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6315.F2//DM1 11/03/2016 Summary: Development Management Policies - FC15

Source: Email Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Policy: DM1 Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: Thanks for you comment, your support for the Focussed Change is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Focussed Change FC15 It is also noted in particular that policies DM1 – DM3 have been disaggregated into specific policies. This is welcomed and we now consider that policies DM1 – DM17 provide a clear policy approach to which all development proposals will be assessed against.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Support for the splitting of the DM1 and DM2 policies.

Council Response: 0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6315.F3//DM2 11/03/2016 Summary: Development Management Policies - FC15 Policy (DM2 - The Natural Environment)

Source: Email Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.21

Policy: DM2 Issue: 2015: Deposit Draft-09.Development Management and Environment

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Status	Modified	Summary
6315.F3//DM2		11/03/2016	<input type="checkbox"/>			Summary: Development Management Policies - FC15 Policy (DM2 - The Natural Environment)
Source: Email		Type: Support		Mode	Written	Status Maintained
<hr/>						
<i>Question</i>	<i>Representation Texts</i>					
Question:	Council Response					
Representation Texts:	Your Comments relating to DM2 are noted. Thank you.					
Council Response:						0
<hr/>						
Question: 1	Representation Details					
Representation Texts:	Focussed Change FC15 In particular we welcome the standalone Policy DM2 – The Natural Environment – which we believe reinforces the need to ensure that development proposals do not result in detrimental impact to European Sites in accordance with the Habitats Regulations. We also welcome that this policy refers specifically to the need to ensure that development does not undermine the requirements of the Water Framework Directive.					
Council Response:						0
<hr/>						
Question: 2	Changes needed to the Focussed Change					
Representation Texts:	N/A					
Council Response:						0
<hr/>						
Question: 4	Summary of Representation					
Representation Texts:	Supporting the inclusion of DM2 and its measures to protect European Sites and meet the requirements of the Water Framework Directive.					
Council Response:						0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6323 RWE Innogy UK Ltd

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6323.F1//DM2 10/03/2016 Summary: Development Management Policies - FC15 (Policy DM2)

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.21

Policy: DM2

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: To address the three points in turn:
 1. The Council would argue that the current wording of the opening paragraph of DM2 (including the word 'compromise') is acceptable however were the words 'or compromise' to be deleted there would be no major objection.
 2. The Council does not agree that the current wording (of the opening para of point 1) prohibits any development. However it does seek to ensure that the particular features or characteristics that give rise to the designation (as opposed to the site itself) will be adequately protected.
 3. The Council disagrees with the need to alter the wording of the final para of point 4 of DM2. The existing wording places the correct emphasis on the need for development to 'protect, positively manage and enhance' biodiversity. This wording attempts to make sure that developers actively pursue all three aspects, including those ideas that will enhance biodiversity. The suggested replacement wording makes enhancement an optional consideration requiring extra work to establish if there is a need, and the Council considers that enhancement is always possible and should be considered a norm.

Council Response:

0

Question: 1 Representation Details

Representation Texts: Policy DM2 – The Natural Environment
 For the reason set out below, it is considered that LDP Policy DM2 in its current form fails to meet the Consistency (C2) and Coherence and Effectiveness (CE2) tests of soundness.
 • Policy DM2 (first paragraph): the test set out in the opening paragraph of LDP Policy DM1 relating to not “unacceptably adversely affect” is the correct test and one that is regularly used in development plans. The use of the term “compromise” is less regularly used and therefore less well defined and tested in land use planning terms. It is considered that the term “unacceptably adversely affect” test is sufficient and that the use of “compromise” is undefined, unnecessary and potentially confusing.
 • Policy DM2 – 1: the test that designated sites/species/habitats “will be protected from any development that would harm their distinctive features or characteristics” is more stringent than the requirements set out in Chapter 5 of Planning Policy Wales (Edition 8, January 2016) (PPW). Whilst designated sites/species/habitats should be afforded the highest level of protection, the nature conservation interests of a site should be balanced against other material planning considerations as acknowledged throughout Chapter 5 of PPW and, specifically, in paragraphs 5.4.1 and 5.5.1 – 5.5.5. Paragraph 5.5.5 of PPW categorically states that “Statutory designation does not necessarily prohibit development, but proposals for development must be carefully assessed for their effect on those natural heritage interests which the designation is intended to protect.” The current wording of DM2 – 1 suggests the prohibition of any development.
 • Policy DM2 (final paragraph): There is no justification or evidence for departing from the accepted terminology adopted by PPW in relation to nature conservation, i.e. “conserve and enhance” and “appropriate management”, to the tests of “protect and enhance” and “positively manage” as adopted in the LDP.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Policy DM2 – The Natural Environment (first paragraph):

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6323.F1//DM2 10/03/2016 Summary: Development Management Policies - FC15 (Policy DM2)

Source: Email Type: Objection Mode Written Status Maintained

- Delete “or compromise” at the end of the first paragraph
Policy DM2 – 1 – The Natural Environment:
- Delete “and will be protected from any development that would harm their distinctive features or characteristics.” at the end of paragraph 1 under the heading “1. Site Designations, Habitats and Species”
Policy DM2 – The Natural Environment (final paragraph):
- Delete “protect, positively manage and enhance” and replace with “conserve, appropriately manage and, wherever necessary and possible, enhance”

Council Response:

0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6323.F2//DM3 10/03/2016 Summary: Development Management Policies - FC15 (Policy DM3 Landscape)

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.25

Policy: DM3 Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: The Council would argue that the current wording of the opening paragraph of Policy DM3 (including the word 'compromise') is acceptable however were the words 'compromise, or' to be deleted there would be no major objection.

Council Response:

0

Question: 1 Representation Details

Representation Texts: Policy DM3 – Landscape
For the reason set out below, it is considered that LDP Policy DM3 in its current form fails to meet the Consistency (C2) and Coherence and Effectiveness (CE2) tests of soundness.

- Policy DM3 (first paragraph): It is agreed that the test set out in the opening paragraph of LDP Policy DM1 relating to not “unacceptably adversely affect” is the correct test and one that is regularly used in development plans. The use of the term “compromise” is less regularly used and therefore less well defined and tested in land use planning terms. It is considered that the term “unacceptably adversely affect” test is sufficient and the “compromise” is undefined, unnecessary and potentially confusing. For the reason set out above, it is considered that LDP Policy DM1 in its current form fails to meet the Coherence and Effectiveness (CE2) test of soundness.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Policy DM3 – Landscape (first paragraph):

25/04/2016

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6323.F2//DM3 10/03/2016 Summary: Development Management Policies - FC15 (Policy DM3 Landscape)

Source: Email

Type: Objection

Mode Written

Status Maintained

-
- Delete "compromise, or" at the beginning of the first paragraph

Council Response:

0

Question: 4 Summary of Representation

Representation Texts: Remove the word "compromise" from Policy

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6416 on behalf of Residents Group

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6416.F5//DM1 10/03/2016 Summary: Development Management Policies - FC15

Source: Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Policy: DM1

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question *Representation Texts*

Question: Council Response

Representation Texts: The Council does not agree with this Representation. Objections were made to the Deposit LDP in relation to housing site allocation P06 HA1 and the Representer does not raise new issues or evidence which lead the Local Planning Authority to change its conclusions.

Increased primary schooling capacity at Archdeacon Griffith (CinW) school is expected within the Plan period and access to secondary school provision will be maintained. The Council therefore consider that the apportioned distribution of housing across the Settlement Hierarchy is based on a sound rationale which supports the delivery of the LDP strategy and the longer term viability of settlements considered capable of supporting sustainable growth.

The Council does not agree that the site should be removed, but it will be for the Inspector to decide if the site should be excluded as a housing land allocation in the final adopted LDP.

Council Response: 0

Question: 1 Representation Details

Representation Texts: This change refers to ensuring that the community needs can be addressed. A further development (P06 HA1 - 1008) in Llyswen will create additional demand and strain on the limited facilities in the area, especially schooling which has reached its limit for primary schooling and it is understood for secondary schooling there will be further significant constraints imposed due to the potential closure of a local secondary school (Gwernfyed High School).

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: For the council to recognise the risks we are highlighting to them as were done so in our representations last year and act on them. This site should be removed from the LDP for such risks.

The council must demonstrate and show evidence that all checks, risk assessments have been carried out on this plot prior to any consideration for inclusion within the LDP.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Seeking removal of site allocation P06 HA1.

Council Response: 0

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6416.F5//DM1 10/03/2016 Summary: Development Management Policies - FC15

Source: Type: Objection Mode Written Status Maintained

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6416.F6//DM1 10/03/2016 Summary: Development Management Policies - FC15

Source: Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Policy: DM1

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: The Council does not agree with this Representation. Objections were made to the Deposit LDP in relation to housing site allocation P06 HA1 and the Representor does not raise new issues or evidence which lead the Local Planning Authority to change its conclusions.

However, evidence has been provided that the local sewerage network can accommodate foul flows from the proposed development and that the Llyswen Village Wastewater Treatment Works (WwTW) can accommodate the foul flows from this proposed development site.

The Council will therefore propose to the Planning Inspector a Matters Arising Change to update the infrastructure requirements for sites P06 HA1 and P06 HA2 as follows:

Re P06 HA1:
Deletion of "Improvements to Llyswen Waste Water Treatment Works may be required."

Re P06 HA2:
Deletion of "Llyswen Village Wastewater Treatment Works has a limited capacity and dependent upon the pace and build rate of development there will ultimately be a time when increased capacity is required. Should developers wish to proceed in advance of any regulatory improvements then financial contributions from developers are required to fund the necessary improvements."

The Council does not agree that the site should be removed, but it will be for the Inspector to decide if the site should be excluded as a housing land allocation in the final adopted LDP.

Council Response:

0

Question: 1 Representation Details

Representation Texts: This change refers to ensuring adequate essential infrastructure and utilities. This will most certainly be a requirement for any future development (P06 HA1 - 1008) in Llyswen as the existing infrastructure and utilities are not sufficient for additional dwellings in the village. To raise a further point about sewerage problems with the current village, why has the council responded differently to a representation made to a proposed plot in Boughrood when the village of Llyswen uses the same sewerage works as Boughrood? Surely the responses should be the same and as such the problems that need addressing the same?

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6416.F6//DM1 10/03/2016 Summary: Development Management Policies - FC15

Source: Type: Objection Mode Written Status Maintained

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: For the council to recognise the risks we are highlighting to them as were done so in our representations last year and act on them. This site should be removed from the LDP for such risks.

The council must demonstrate and show evidence that all checks, risk assessments have been carried out on this plot prior to any consideration for inclusion within the LDP.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Seeking removal of site allocation P06 HA1.

Council Response: 0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6416.F7//DM1 10/03/2016 Summary: Development Management Policies - FC15

Source: Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Policy: DM1

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: The Council does not agree with this Representation. Objections were made to the Deposit LDP in relation to housing site allocation P06 HA1 and the Representor does not raise new issues or evidence which lead the Local Planning Authority to change its conclusions.

However, evidence has been provided that the local sewerage network can accommodate foul flows from the proposed development and that the Llyswen Village Wastewater Treatment Works (WwTW) can accommodate the foul flows from this proposed development site.

The Council will therefore propose to the Planning Inspector a Matters Arising Change to update the infrastructure requirements for sites P06 HA1 and P06 HA2 as follows:

Re P06 HA1:

Deletion of "Improvements to Llyswen Waste Water Treatment Works may be required."

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6416.F7//DM1 10/03/2016 Summary: Development Management Policies - FC15

Source: Type: Objection Mode Written Status Maintained

Re P06 HA2:

Deletion of "Llyswen Village Wastewater Treatment Works has a limited capacity and dependent upon the pace and build rate of development there will ultimately be a time when increased capacity is required. Should developers wish to proceed in advance of any regulatory improvements then financial contributions from developers are required to fund the necessary improvements."

The Council does not agree that the site should be removed, but it will be for the Inspector to decide if the site should be excluded as a housing land allocation in the final adopted LDP.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Comment in relation to HA2 in connection with proposed plot HA1: Llyswen Village Wastewater Treatment Works has limited capacity and dependant on the pace and build rate of development there will ultimately be a time when increased capacity is required. Should developers wish to proceed in advance of any regulatory improvements then financial contributions from developers are required to fund the necessary improvements.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: For the council to recognise the risks we are highlighting to them as were done so in our representations last year and act on them. This site should be removed from the LDP for such risks.

The council must demonstrate and show evidence that all checks, risk assessments have been carried out on this plot prior to any consideration for inclusion within the LDP.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Seeking removal of site allocation P06 HA1.

Council Response: 0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6416.F8//DM1 10/03/2016 Summary: Development Management Policies - FC15

Source: Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6416.F8//DM1 10/03/2016 Summary: Development Management Policies - FC15

Source: Type: Objection Mode Written Status Maintained

Policy: DM1 Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: The Council disagrees with this Representation. Previous Representations concerning this site have been considered. Provision has already been made for incorporating open play space within the Allocation and this new Representation does not present any new evidence to challenge the decision to include the Allocation of P06 HA1.

The Council does not agree that the site should be removed, but it will be for the Inspector to decide if the site should be excluded as a housing land allocation in the final adopted LDP.

Council Response: 0

Question: 1 Representation Details

Representation Texts: This change refers to protection of the natural environment and green space. Any further development (P06 HA1 - 1008) in Llyswen will significantly impact the natural environment and will result in further loss of green spaces.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: For the council to recognise the risks we are highlighting to them as were done so in our representations last year and act on them. This site should be removed from the LDP for such risks.

The council must demonstrate and show evidence that all checks, risk assessments have been carried out on this plot prior to any consideration for inclusion within the LDP.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Seeking removal of site allocation P06 HA1.

Council Response: 0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6416.F9//DM1 10/03/2016 Summary: Development Management Policies - FC15

Source: Type: Objection Mode Written Status Maintained

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6416.F9//DM1 10/03/2016 Summary: Development Management Policies - FC15

Source: Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Policy: DM1

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: The Council disagrees with this Representation. Previous Representations concerning this site have been considered and provision has already been made for considering the landscape and historic environment issues. This new Representation does not present any new evidence to challenge the decision to include the Allocation of P06 HA1.

The Council does not agree that the site should be removed, but it will be for the Inspector to decide if the site should be excluded as a housing land allocation in the final adopted LDP.

Council Response: 0

Question: 1 Representation Details

Representation Texts: This change emphasises the need to protect the current landscape and the historic environment. It is our considered view that the proposed development (P06 HA1 - 1008) will significantly impact the current landscape and historic environment of Llyswen.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: For the council to recognise the risks we are highlighting to them as were done so in our representations last year and act on them. This site should be removed from the LDP for such risks.

The council must demonstrate and show evidence that all checks, risk assessments have been carried out on this plot prior to any consideration for inclusion within the LDP.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Seeking removal of site allocation P06 HA1.

Council Response: 0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6416.F10//DM1 10/03/2016 Summary: Development Management Policies - FC15

Source: Type: Objection Mode Written Status Maintained

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6416.F10//DM1 10/03/2016 Summary: Development Management Policies - FC15

Source: Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Policy: DM1

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: The Council does not agree with this Representation. Objections were made to the Deposit LDP in relation to housing site allocation P06 HA1 and the Representer does not raise new issues or evidence which lead the Local Planning Authority to change its conclusions. However, evidence has been provided that an Ordinary watercourse flows through/adjacent this site. Part of this Ordinary watercourse was re-routed to accommodate earlier phases of development. No drainage/flood issues have been recorded since the watercourse was re-routed. A maintenance/protection zone should be secured along the watercourse corridor. Soil type for locality is indicated as being freely draining, i.e. suitable for SuDS.

The Council does not agree that the site should be removed, but it will be for the Inspector to decide if the site should be excluded as a housing land allocation in the final adopted LDP.

Council Response: 0

Question: 1 Representation Details

Representation Texts: This change refers to addressing flood prevention and minimising ground and surface water. The site for the proposed development (P06 HA1 - 1008) at Llyswen is subject to significant groundwater from the gully that crosses the A470 from the direction of Brechfa Pool. The site has significant surface water during periods of heavy rain. Should a further development take place on this site there will be nowhere for the water to soak away and will potentially create a flood risk at the existing Llys Meillion site as well as the new development itself. Therefore significant changes/improvements will be needed to the existing drainage systems.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: For the council to recognise the risks we are highlighting to them as were done so in our representations last year and act on them. This site should be removed from the LDP for such risks.

The council must demonstrate and show evidence that all checks, risk assessments have been carried out on this plot prior to any consideration for inclusion within the LDP.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Seeking removal of site allocation P06 HA1.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6416.F11//DM1 10/03/2016 Summary: Development Management Policies - FC15

Source: Type: Not duly made Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Policy: DM1

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: The Council does not consider this Representation to be duly made. However, objections raised with regards access to any development were considered in relation to housing site allocation P06 HA1 and were included as Issues in the proposed Focussed Changes to Appendix 1 - Focussed Change FC 45. These issues would require to be addressed when any development application is made. The Representor does not raise new issues or evidence which lead the Local Planning Authority to change its conclusions.

Council Response: 0

Question: 1 Representation Details

Representation Texts: This change emphasises the need to ensure that transport needs of any new development are addressed. With the potential new development (P06 HA1 -1008) at Llyswen this will prove to be very difficult if not impossible with respect to pedestrian and cycle access due to the limited pathways alongside the very busy A479 which is adjacent to the proposed development. Should there be residents with disabilities or mobility impairments it will be difficult if not impossible for them to cross the A479 and access the village. Additionally the A479 is an extremely busy road with high level of traffic that has to negotiate its way through a very narrow road through Llyswen village made worse due to cars parking opposite the petrol station. (see appendices 2 & 3). There is also a public footpath that runs through the proposed plot and the access to this on the main A470 forms part of the plot proposed for inclusion.

Attachments: Appendices 2 & 3 - two photographs.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: For the council to recognise the risks we are highlighting to them as were done so in our representations last year and act on them. This site should be removed from the LDP for such risks.

The council must demonstrate and show evidence that all checks, risk assessments have been carried out on this plot prior to any consideration for inclusion within the LDP.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Seeking removal of site allocation P06 HA1.

Council Response: 0

Consultation Report Appendix 4: FC Representations & Council Responses

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6416.F12//DM1 10/03/2016 Summary: Development Management Policies - FC15

Source: Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Policy: DM1

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: The Council does not agree with this Representation. Objections were made to the Deposit LDP in relation to housing site allocation P06 HA1 and the Representor does not raise new issues or evidence which lead the Local Planning Authority to change its conclusions. However, evidence has been provided that an Ordinary watercourse flows through/adjacent this site. Part of this Ordinary watercourse was re-routed to accommodate earlier phases of development. No drainage/flood issues have been recorded since the watercourse was re-routed. A maintenance/protection zone should be secured along the watercourse corridor. Soil type for locality is indicated as being freely draining, i.e. suitable for SuDS.

The Council does not agree that the site should be removed, but it will be for the Inspector to decide if the site should be excluded as a housing land allocation in the final adopted LDP.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Page 26. This change has not taken into account that this plot retains a lot of water during the winter periods and the brook running down the plot contains exceedingly large volumes of water during the winter months which have over the years caused significant problems.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: For the council to recognise the risks we are highlighting to them as were done so in our representations last year and act on them. This site should be removed from the LDP for such risks.

The council must demonstrate and show evidence that all checks, risk assessments have been carried out on this plot prior to any consideration for inclusion within the LDP.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Seeking removal of site allocation P06 HA1.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6421 Natural England

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6421.F1//DM2 11/03/2016 Summary: Development Management Policies - FC15 Para 4.2.6

Source: Email Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.21

Policy: DM2

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: Your support for FC15 (DM2 para 4.2.6) is noted. Thank you

Council Response: 0

Question: 1 Representation Details

Representation Texts: The focused change has added a commitment to the River Wye SAC Nutrient Management Plan (NMP) within the Local Development Plan (LDP) supporting the HRA's conclusion that the LDP does not result in likely significant effects on the River Wye SAC. Commitment to the NMP, to working with partners and to undertaking any actions that fall to Powys Council are key to ensuring no likely significant effect on the River Wye SAC.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: None

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: In support of the para that explains PCCs support for and participation in the NMP process

Council Response: 0

Page 168

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.27 Justification: Development Management Policies - FC15

6235 CPRW Brecon & Radnor and Montgomery

Agent: **CPRW Brecon & Radnor**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F14 11/03/2016 Summary: Justification: Development Management Policies - FC15

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.21

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts:

To address the points raised in their order
 Para. 4.2.5. This para. sits within a section on the natural environment and uses the word 'also' to imply that in addition to the interests of the Natural Environment (which obviously includes biodiversity) it 'also' has a contribution towards the other roles identified. The Council therefore does not accept the need for any change.
 Para. 4.2.7. For the purposes of brevity it is not considered necessary to go into any more detail about the roles of, and relationships between, different competent authorities in this para. Doing so would not add anything materially relevant to the content.
 Para. 4.2.8. This para. already contains on the first line the sentence '...there are also areas that are, or are being, designated as Local Wildlife Sit...' as well as, further down, the reminder that 'LWS are under continual review and not all qualifying sites have been identified or designated.' The Council therefore does not accept the need for any change.
 Para. 4.2.9. This para. provides a very brief introduction to the WFD and as such it repeats the aim of the WFD for both surface and groundwater to be taken into account in the Directive. Both private water and livestock drinking supplies would be included in these categories. Contamination and the mechanisms set up to prevent and address such pollution is dealt with in paras 4.2.11. Agricultural activities such as manure spreading is outside the competence of the planning system however the Council is actively considering the creation of Supplementary Planning Guidance on lessening the impact of intensive agriculture on water courses.
 Para. 4.2.10. This para. provides an overview of the WFD and in doing so, to avoid confusion, repeats the language used in it. The means for meeting the targets and maintaining the status is then laid out in para. 4.2.11.
 Para. 4.2.11. The council feels that this para is already clear enough. It lays out the process through which the sites, and their features, that require the highest level of protection under international legislation (and listed in section 1 of this Policy) will be protected from water-borne pollution.
 Para.4.2.12. and 4.2.13. The Council feels that these paragraphs are already clear enough with para 13 providing adequate detail about how the public amenity, natural or cultural heritage value of trees and hedges are assessed.

Council Response:

0

Question: 1 Representation Details

Representation Texts:

The text is often insufficiently precise and robust and fails to inform the public appropriately
 1) Paragraph 4.2.5 states: "These natural and semi natural environments are valuable non-renewable resources which are also essential for education, leisure, and the economy" – this list should also include 'biodiversity'.
 2) Paragraph 4.2.7 states: "In order to assess the acceptability of a development proposal against the criteria of Policy DM2, proposals which would be likely to result in increased nutrient loading to the environment, such as intensive livestock units, will be required to assess the potential impacts in respect of water and air quality, to ensure that they do not adversely affect these natural and semi natural environments." Currently the public is confused about the respective roles of NRW and Powys County Council in assessing nutrient loading and land and water pollution. This paragraph should also make the respective responsibilities of Natural Resources Wales and Powys County Council in carrying out such assessments clear to all parties.

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6235.F14 11/03/2016 Summary: Justification: Development Management Policies - FC15

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

- 3) Paragraph 4.2.8: This paragraph should also include areas being considered for LWS designation.
- 4) Paragraph 4.2.9: There is no mention of protection of private water drinking water supplies or livestock drinking water. There is no mention of surface water and ground water contamination through spreading of agricultural byproducts such as manure, or digestate on land. The cumulative impacts of such spreading with that from other developments should be considered. There is no discussion of relative roles of NRW and PCC in securing protection of water quality from these risks (see also comments on W1 Waste)
- 5) Paragraph 4.2.10: This paragraph is welcome but fails to explain how 'minimum anthropogenic impact' is to be measured. It is also unclear who is responsible for identifying and reporting groundwater deterioration and what measures this will trigger to ameliorate the situation.
- 6) Paragraph 4.2.11: CPRW finds the drafting of this paragraph grammatically confusing/confused (ensuring/prevent/ensure). It is also unclear what 'internationally important features' are, and what 'internationally' means in this context.
- 7) Paragraph 4.2.12: It is unclear how the 'significant public amenity, natural or cultural heritage value' of trees and hedges etc. is to be judged, and who is to make the judgement.
- 8) Paragraph 4.2.13: It is unclear what are 'nationally recognised systems of amenity evaluation' and this requires explanation.
- 9) Paragraph 4.2.22: Commitment to the production of SPG for Biodiversity is welcomed.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts:

- 1) Paragraph 4.2.5: Inclusion of additional wording as follows (underlined): "These natural and semi natural environments are valuable non-renewable resources which are also essential for biodiversity, education, leisure, and the economy.
- 2) Paragraph 4.2.7: 'and pollutants' should be added after 'nutrient loading'. Explicit reference to the responsibilities of the relevant body/bodies to carry out assessments as described.
- 3) Paragraph 4.2.8: Include additional wording as follows (underlined): "...impact on any existing LWS or area being considered for LW designation".
- 4) Paragraph 4.2.9: Include need to protect private domestic drinking water supplies (springs and boreholes) and livestock drinking water. Include specific need to protect against surface water and ground water contamination through spreading of agricultural byproducts such as manure, or digestate on land. Cumulative impacts with other development must be considered. The relative roles of NRW and PCC in securing protection of water quality from these risks (see also comments on W1 Waste)
- 5) Paragraph 4.2.10: Inclusion of explicit measures to achieve the operation of the precautionary principle in relation to ground water.
- 6) Paragraph 4.2.11: This paragraph requires redrafting for greater clarity. Also 'internationally important features' need explanation.
- 7) Paragraph 4.2.12: Clarification is required as to how the 'significant public amenity, natural or cultural heritage value' of trees and hedges etc. is to be judged, and who is to make the judgement.
- 8) Paragraph 4.2.13: The phrase 'nationally recognised systems of amenity evaluation' requires explanation.
- 9) N/A

Council Response:

0

Question: 3 Reason for request to speak at hearing

Representation Texts:

Strengthen application of policies by making terms clearer and defining responsibilities.

Council Response:

0

Consultation Report Appendix 4: FC Representations & Council Responses

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F15 11/03/2016 Summary: Justification: Development Management Policies - FC15 (Policy DM3 - Landscape)

Source: Email

Type: Objection

Mode Oral (Examination)

Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: The Council recommends to the Inspector that a paragraph could be added to say the following "Natural Resources Wales have published a useful series of Guidance Notes on the use of LANDMAP including 'Guidance Note 3: Using LANDMAP for Landscape and Visual Impact Assessment of Onshore Wind Turbines' which should be referred to. Further details on the approach to be taken in relation to landscape will be given in Supplementary Planning Guidance (SPG)". The Council also recommends changing "how" to "how / whether" in paragraph 4.2.24. However points 3 and 4 of the representation and the issue regarding views are felt to be adequately covered in the LDP, these issues should be addressed and developed in the SPG, to which there is a commitment in Appendix 2 of the Written Statement.

Council Response:

0

Question: 1 Representation Details

Representation Texts: In general this section is very welcome.

1) Paragraph 4.2.24: For medium to large wind turbines, developers should be directed to follow the guidance contained in "LANDMAP Information Guidance Note 3: Using LANDMAP for Landscape and Visual Impact Assessment of Onshore Wind Turbines". The impact of development on views from other landscape points must be considered. The value accorded to landscapes and views by local people and visitors should be taken into consideration where they diverge from the Landmap 'visual and sensory layer' classification.

2) Paragraph 4.2.24: 'Developers are advised to refer to LANDMAP to determine how development proposals can be integrated into the landscape'. Considering the issue is not enough. The developer should address the question of whether the development can be integrated into the landscape.

3) Paragraph 4.2.24: Cumulative impacts of developments of the same and different types must be considered.

4) Paragraph 4.2.25: This paragraph does not give the Snowdonia NP equal weight to the BBNP. It should say how relevant policies of the Snowdonia National Park will be considered if a development within Powys is likely to impact on the Snowdonia National Park.

5) CPRW would welcome a statement of the commitment of the LPA (as advised by Richard Pitts, Planning Policy Officer) to produce an SPG on landscape.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: 1) Paragraph 4.2.24 Insertion of advice: 'For medium to large wind turbines, developers should be directed to follow the guidance contained in "LANDMAP Information Guidance Note 3: Using LANDMAP for Landscape and Visual Impact Assessment of Onshore Wind Turbines".
Insertion of advice: 'Developers should take into account the value accorded to landscapes and views by local people and visitors where they diverge from the LANDMAP 'visual and sensory layer' classification'.
2) Paragraph 4.2.24 Insert 'whether' in place of 'how': 'Developers are advised to refer to LANDMAP to determine whether development proposals can be integrated into the

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F15 11/03/2016 Summary: Justification: Development Management Policies - FC15 (Policy DM3 - Landscape)

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

landscape'

3) After Paragraph 4.2.24: Insert in a separate paragraph: 'Cumulative impacts of developments of the same and different types must be considered in development proposals'.

4) Paragraph 4.2.25: Insert description of which relevant policies of the Snowdonia National Park will be considered if a development within Powys is likely to impact on the Snowdonia National Park.

5) End of section Insertion of a final paragraph making the commitment to SPG for landscape explicit.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: Sound reasons for the changes above.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Amendments to the text acting as justification to Policy DM3 - Landscape.

Council Response: 0

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6315 Natural Resources Wales

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6315.F4 11/03/2016 Summary: Justification: Development Management Policies - FC15 (Support for Justification to Policy DM2)

Source: Email Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.21

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question *Representation Texts*

Question: Council Response

Representation Texts: Comments in support of the justification text for DM2 are noted. Thank you.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Focussed Change FC15 We also welcome the additional text within Policy DM2 that identifies that for the River Wye SAC the primary mechanism for achieving its conservation targets is through the Nutrient Management Plan (NMP) process. This is overseen by a Board and a Technical Group which Powys County Council supports and participates in. As already mentioned in our comments on the Deposit Draft, this is of particular relevance when assessing applications for intensive livestock units in order to ensure that they do not adversely affect these natural and semi natural environments.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Support for inclusion of NMP within Policy DM2

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.28 Development Management Policies - FC15

78 Home Builders Federation Ltd

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

78.F8//DM5 11/03/2016 Summary: Development Management Policies - FC15 - Policy DM5 Flood Prevention Measures and Land Drainage

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.27

Policy: DM5 Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: This Policy reflects the objectives in the River Basin Management Plans covering Powys (as required by the EU Water Framework Directive) as per the recommendations of the Stage 2, Strategic Flood Consequences Assessment. Whilst, Schedule three of The Flood and Water Management Act requires sustainable drainage systems (SuDS) to be incorporated into all construction works that have drainage implications, this policy is intended to bridge the gap until the requirement is introduced. Furthermore other Adopted LDPs such as Carmarthenshire (Policy EP3) have included Policies for the incorporation of SuDS within new development.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Policy DM5 – Flood Prevention Measures and Land Drainage Part B - The HBF object to this section as it is requiring a level of SuDS over and above national guidance. Current national guidance is non statutory and should therefore not be used to make policy by a local development plan.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Remove the wording in Policy DM5 – Flood Prevention Measures and Land Drainage Part B

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: I wish to be able to speak about the objection I have raised above in the inquiry as it enables the issue to be discussed between all parties.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Request the removal of the requirement for all development to include SuDS

Council Response: 0

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Status	Modified	Summary
78.F8//DM5		11/03/2016	<input type="checkbox"/>			Summary: Development Management Policies - FC15 - Policy DM5 Flood Prevention Measures and Land Drainage
Source:		Type: Objection		Mode	Oral (Examination)	Status Maintained

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Status	Modified	Summary
78.F10//DM2		11/03/2016	<input type="checkbox"/>			Summary: Development Management Policies - FC15 - Policy DM12
Source:		Type: Objection		Mode	Oral (Examination)	Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Policy: DM2

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question *Representation Texts*

Question: **Council Response**

Representation Texts: Your comment is noted but the Council does not agree that more clarity is required as thresholds for triggering such assessments depend on the particular circumstances of a development proposal. The CSS Wales Parking Standards are the most current guidelines.

Council Response: 0

Question: 1 **Representation Details**

Representation Texts: Policy DM12 Transport Requirements for New Development the wording of this policy is far too vague and gives no clarity or certainty as to what highway requirements are to be complied with or at what level of development a Traffic Assessment and/or Travel Plan is required. In particular the use of the word 'significant' should be quantified. We note at para 4.2.54 reference to the 2008 Wales Parking Standards but question how up-to-date these are. Is further clarification going to be provided either in the supporting text or an SPG o these issues?

Council Response: 0

Question: 2 **Changes needed to the Focussed Change**

Representation Texts: Amended the wording of Policy DM12 Transport Requirements for New Development to, provide greater clarity and guidance on which developments the policy requirements will apply to.

Council Response: 0

Question: 3 **Reason for request to speak at hearing**

Representation Texts: I wish to be able to speak about the objection I have raised above in the inquiry as it enables the issue to be discussed between all parties.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

1481 The Coal Authority

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1481.F2//DM9 11/03/2016 Summary: Development Management Policies - FC15 (DM9 Contaminated and Unstable Land)

Source: Email Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.31

Policy: DM9

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: Thanks for your comment, your support for the Focussed Change is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Support – The Coal Authority supports Policy DM9 which sets out an appropriate policy framework for addressing the issue of unstable land including that arising from mining legacy.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Support

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6192 Gardiner, Mr Ben

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6192.F4//DM15 10/03/2011 Summary: Development Management Policies - FC15

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.37 Site: 1248//P32 HA2 Maesydre Field, Llanfyllin
 Policy: DM15 Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: Situating development in towns such as Llanfyllin within walking distance of a range of services and public transport links reduces carbon emissions compared to building in unsustainable locations in open countryside. All of the allocations in the LDP have been subject to Strategic Environmental Assessment and Sustainability Appraisal. It is recognised that allocation P32 HA2 will change the gateway to Llanfyllin therefore a development brief will be produced to ensure the development is in keeping and sensitive to the area.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Paragraphs - 4.2.69 Refers to the scale of the development land. The site(s) in Llanfyllin is/are extensive and not in proportion with the town itself. It will materially affect the 'gateway' to Llanfyllin.

4.2.72 - Refers to the requirement that the proposal should contribute to the achievement of sustainable development.
 The site Ref HA2 is on a north facing slope so makes the uses of 'passive solar gain' difficult if not impossible to achieve.
 The site Ref HA2 has a exit adjacent to the Dolydd. This makes the journey into the centre of town difficult as it is both up hill and along a main road.
 The trip into town is likely to be by car which is not sustainable.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Mis-match between policy DM15 and housing allocation P32 HA2

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6235 CPRW Brecon & Radnor and Montgomery

Agent: **CPRW Brecon & Radnor**

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6235.F16/DM4 11/03/2016 Summary: Development Management Policies - FC15. Policy DM4 Development and Flood Risk

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.26

Policy: DM4

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: Powys County Council has no objection to this policy being reworded to better reflect National Policy.

Therefore Amend Policy DM4 – Development and Flood Risk to read

All development proposals must be located away from tidal or fluvial flood plains unless it can be demonstrated that the site is justified in line with national guidance and an appropriate detailed technical assessment has been undertaken to ensure that the development is designed to reduce/avoid the threat and alleviate the consequences of flooding over its lifetime. In addition the development must not increase flood risk elsewhere, and shall where possible allow floodplains to provide water storage to reduce flooding in the catchment, unless:

1. The development is of a very minor nature such as an extension to a dwelling; or
2. There is an overriding need in the public interest for the development.

Council Response:

0

Question: 1 Representation Details

Representation Texts: CPRW recommend a change in the drafting of this policy in order to comply with provisions of PPW8 13.2.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Change of wording: 'designed to alleviate the threat and consequences of flooding over its lifetime' should be amended to 'designed to reduce/avoid the threat and alleviate the consequences of flooding over its lifetime'.

Council Response:

0

Question: 3 Reason for request to speak at hearing

Representation Texts: Commitment to realistic measures to address flooding

Council Response:

0

Question: 4 Summary of Representation

Representation Texts: Amendment to Policy to reflect wording in PPW.

Council Response:

0

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F16//DM4 11/03/2016 Summary: Development Management Policies - FC15. Policy DM4 Development and Flood Risk

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F17//DM5 11/03/2016 Summary: Development Management Policies - FC15. Policy DM5 Flood Prevention Measures and Land Drainage

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.27

Policy: DM5

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: There is no evidence to suggest that specific policy provision is required for the protection of peat and dark soils in the Powys LDP. Following representations at the Deposit stage of the LDP, the protection of "Important carbon stores" in the development management policies was removed.

Council Response: 0

Question: 1 Representation Details

Representation Texts: This flood risk policy needs strengthening by inclusion of a section specifically on the assessment of increased downstream flood risk from an extensive upland development proposal. The impacts of replacement of peat and dark soils (important for water storage and carbon capture properties) and the alteration of normal water flow are important considerations especially in catchment areas for rivers or where there could be cumulative impacts from multiple developments.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Inclusion of specific provision for the protection of upland peat and dark soils and for assessment of downstream flood risks where any interference with or damage to these soils or to existing water flow channels is proposed.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: Above, unless remedied.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Inclusion of specific provision for the protection of upland peat and dark soils and for assessment of downstream flood risks where any interference with or damage to these soils

Consultation Report Appendix 4: FC Representations & Council Responses

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F17//DM5 11/03/2016 Summary: Development Management Policies - FC15. Policy DM5 Flood Prevention Measures and Land Drainage

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

or to existing water flow channels is proposed.

Council Response:

0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F18//DM10 11/03/2016 Summary: Development Management Policies - FC15. Policy DM10 Amenities

Source: Post or in person Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.32

Policy: DM10

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: The Council recognises the omission of 'shadow flicker' from the amenities policy, however a paragraph inserted into the justification text on the renewables policy that also makes reference to 'glint and glare' is felt to be a better way to resolve the situation.

Policy DM10 - Amenities does not include reference to light pollution because this is dealt with under policy DM6 - Dark Skies and External Lighting (FC15).

The Council agree that overlooking needs to be clarified by linking it to privacy.

The Council recommends the following amendments via Matters Arising Changes:

Insert paragraph below Renewable Energy policy: 4.10.9a. - All renewable energy proposals must respect the existence and amenities of neighbouring residential properties including approved development. This is particularly the case when it comes to 'glint and glare' from solar developments and 'shadow flicker' from wind turbines.

Amend paragraph – Amenities to read:

4.2.48 - Development must respect the existence and amenities of neighbouring uses including approved development. These amenities include privacy (affected by overlooking), light (natural and man-made), noise (including that which arises from hours of operation), air quality (odour, fumes and dust), and pests (vermin and birds attracted by litter).

Council Response:

0

Question: 1 Representation Details

Representation Texts: 1)Policy DM10 omits mention of shadow flicker and light pollution.

2) Paragraph 4.2.48: This paragraph requires clarification to improve its effectiveness.

Council Response:

0

25/04/2016

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Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F18//DM10 11/03/2016 Summary: Development Management Policies - FC15. Policy DM10 Amenities

Source: Post or in person Type: Objection Mode Oral (Examination) Status Maintained

Question: 2 Changes needed to the Focussed Change

Representation Texts: 1) Insertion of the words “shadow flicker, light pollution” after “...shall not be unacceptably affected by levels of noise, dust, air pollution, litter, odour, hours of operation...”
 2) Paragraph 4.2.48: In the phrase “...These amenities include overlooking...” the term ‘overlooking’ needs definition.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: Above unless remedied.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Amend Policy DM10 - Amenities as follows: 1) Insertion of the words “shadow flicker, light pollution” after “...shall not be unacceptably affected by levels of noise, dust, air pollution, litter, odour, hours of operation...”
 2) Paragraph 4.2.48: In the phrase “...These amenities include overlooking...” the term ‘overlooking’ needs definition.

Council Response: 0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F19//DM12 11/03/2016 Summary: Development Management Policies - FC15 - DM12

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.33

Policy: DM12

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: The Council disagrees that further changes are necessary. Safety requirements are implicit in meeting highway access standards and Policy DM12 (FC15) refers to the access needs of all transport users which includes equestrian users.

Council Response: 0

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F19//DM12 11/03/2016 Summary: Development Management Policies - FC15 - DM12

Source: Type: Objection Mode Oral (Examination) Status Maintained

Question: 1 Representation Details

Representation Texts: This policy should address both the safety and access needs of road users, taking into account that rural roads also serve for walkers and equestrians as part of the footpath and bridleway network. This policy fails to recognise equestrians and horse drawn vehicles among vulnerable road users. The WAG Road Safety Framework for Wales (July 2013) clearly sets out the vulnerability of equestrians and carriage drivers and their prevalence on roads in rural areas in sections 71 to 73. The onus on the local authority to consider road safety is clearly set out. Local government is the main delivery agent of road safety; local authorities have a statutory duty under section 39 of the 1988 Road Traffic Act, to "take steps both to reduce and prevent accidents".

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: The wording should be amended as below:
 "Proposals for development must meet highway access and safety requirements and vehicular parking standards and must incorporate the access and safety needs of all transport users, especially pedestrians and cyclists, equestrians and horse drawn vehicles, and those with disabilities or mobility impairment."

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: This policy should address both the safety and access needs of road users, taking into account that rural roads also serve for walkers and equestrians as part of the footpath and bridleway network. This policy fails to recognise equestrians and horse drawn vehicles among vulnerable road users. The WAG Road Safety Framework for Wales (July 2013) clearly sets out the vulnerability of equestrians and carriage drivers and their prevalence on roads in rural areas in sections 71 to 73. The onus on the local authority to consider road safety is clearly set out. Local government is the main delivery agent of road safety; local authorities have a statutory duty under section 39 of the 1988 Road Traffic Act, to "take steps both to reduce and prevent accidents".

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Policy DM12 to be amended to include safety for pedestrians, cyclists, equestrians and those with disabilities.

Council Response: 0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F20//DM15 10/03/2016 Summary: Development Management Policies - FC15 - DM15

Source: Email Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.37

Policy: DM15

25/04/2016

Issue: 2015: Deposit Draft-09.Development Management and Environment

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F20//DM15 10/03/2016 Summary: Development Management Policies - FC15 - DM15

Source: Email Type: Support Mode Written Status Maintained

Question Representation Texts

Question: Council Response

Representation Texts: Your Support for Policy DM15 is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Improved design implementation methods and a greater emphasis on the standard of design and build in Powys is timely and welcome.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Improved design implementation methods and a greater emphasis on the standard of design and build in Powys is timely and welcome.

Council Response: 0

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6315 Natural Resources Wales

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6315.F6//DM6 11/03/2016 Summary: Development Management Policies - FC15 (DM6 Dark Skies and External Lighting)

Source: Email Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.29

Policy: DM6

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question *Representation Texts*

Question: Council Response

Representation Texts: Thanks for your comment, your support for the Focussed Change is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Focussed Change FC15 Policy DM6 – Dark Skies and External Lighting is welcomed as a standalone policy and note that the policy wording now includes reference to the need for development proposals to ensure that they do not individually or cumulatively cause disturbance to protected species.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Support for Focussed Change to DM6 Dark Skies and External Lighting Policy

Council Response: 0

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6323 RWE Innogy UK Ltd

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6323.F3//DM6 10/03/2016 Summary: Development Management Policies - FC15 (Policy DM6 Dark Skies)

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.29

Policy: DM6

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: The Council recommends that the criteria ii and iv of policy DM6 should be amended as a Matters Arising Change to read as follows:

- ii.An unacceptable adverse effect on the visibility of the night sky.
- iv.An unacceptable disturbance to protected species.

However the Council does not recommend putting the word 'unacceptable' before the words nuisance or hazard.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Policy DM6 – Dark Skies and External Lighting
 For the reason set out below, it is considered that LDP Policy DM6 in its current form fails to meet the Consistency (C2) and Coherence and Effectiveness (CE2) tests of soundness.
 • DM6 (ii, iii, iv): External lighting may have an adverse impact on the features intended to be protected by this policy but still be acceptable on balance. The appropriate test is whether the impact is 'unacceptable'.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Policy DM6 – Dark Skies and External Lighting:
 • Insert “unacceptable” before ii. “adverse...”; iii. “nuisance...”; and iv. “disturbance...”

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Policy DM6 – Dark Skies and External Lighting:• Insert “unacceptable” before ii. “adverse...”; iii. “nuisance...”; and iv. “disturbance...”

Council Response: 0

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6323.F4//DM10 10/03/2016 Summary: Development Management Policies - FC15 (DM10 Amenities)

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.32

Policy: DM10

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: In responses to this representation, the Council recommends that the following clarification amendment could be added to the reasoned justification (Para 4.2.48) as a Matters Arising Change:

"The reference given to 'nearby or proposed properties 'in the policy means residential properties which lawfully exist or have planning permission and sites allocated for housing by the LDP."

Council Response: 0

Question: 1 Representation Details

Representation Texts: Policy DM10 – Amenities
 For the reason set out below, it is considered that LDP Policy DM6 in its current form fails to meet the Consistency (C2) and Coherence and Effectiveness (CE2) tests of soundness.
 - Policy DM10: it is considered that the inclusion of "proposed properties" is too broad and that only neighbouring residential properties which "lawfully exist or have an extant planning permission" at the time of making a decision should be included. The inclusion of "proposed properties" risks speculative applications for new residential properties being made in locations where there is no policy support for such developments and/or no realistic likelihood of receiving planning permission simply to frustrate other planning applications. This stance is in line with succeeding paragraph 4.2.48 of the Deposit Draft of the LDP which seeks to explain the criteria set out in DM10 and takes neighbouring uses to include "approved development".

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Policy DM10 - Amenities:• Delete "nearby or proposed properties" and replace with "neighbouring residential properties which lawfully exist or have planning permission"

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Policy DM10 - Amenities:• Delete "nearby or proposed properties" and replace with "neighbouring residential properties which lawfully exist or have planning permission"

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6348 Dwr Cymru Welsh Water

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6348.F3//DM5 11/03/2016 Summary: Development Management Policies - FC15 (DM5 - Flood Prevention Measures and Land Drainage)

Source: Email Type: Comment Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.27

Policy: DM5

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: Thanks for your comment, your support for the Focussed Change is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: DM5 Flood Prevention Measures and Land Drainage

B) The tackling of surface water at source is a vital component of sustainable drainage and we fully support the requirement for developers to incorporate sustainable drainage systems as part of their developments. Managing surface water at source will mitigate against overloaded sewers which can ultimately lead to flooding.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Support for Policy DM5 - Flood Prevention Measures and Land Drainage - Part B sustainable drainage

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6402 Montgomery Canal Partnership

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6402.F2//DM5 11/03/2016 Summary: Development Management Policies - FC15 (DM5 - Flood Prevention Measures and Land Drainage)

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.27

Policy: DM5

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: The Council agree this policy is not meant to be applied to canals.

The Council recommends a paragraph is inserted as follows via a Matters Arising Change:
"4.2.31a - It is not the intention for this policy to be applied to canals."

Council Response:

0

Question: 1 Representation Details

Representation Texts: DM5 seems based on a misconception that all watercourses are the same. In fact, they are not. Canals do not have water flowing as rivers do. Canals have towpaths for walking along whilst many rivers do not.
Thus the suggestion in sub-paragraph v) should be amended. Leaving an undeveloped buffer strip is impractical where there is a towpath. Indeed, a developer may well be prepared to pay for towpath improvements. Where a development is on the non-towpath side, it may be appropriate (e.g. for a retail business) to provide moorings for boats and otherwise encourage the public to come to the water's edge to enjoy the scene. The reference to channel maintenance is not relevant for the Canal where the owners have existing means of doing so. Having said that, it would be undesirable for the footprint of the building element of a development to be right up to the water's edge.

Background information

We are surprised to see so many changes to the LDP at this stage – i.e. when the LDP has been submitted for the Examination in Public. In particular, we note this is contrary to the Welsh Government's LDP Manual 2015 which advises that changes after Deposit should be avoided wherever possible unless needed to ensure the Plan's soundness or to cope with a sudden or major change in local circumstances or new national policy.

As a result, there have been significant changes proposed affecting the Montgomery Canal and its restoration as a navigable waterway. There does not appear to have been an effort to discuss these proposals with us. It appears the changes have been made as a result of representations made by other organisations which have not been challenged or otherwise discussed in order to test their validity.

This failure is all the more disappointing as Powys County Council is a member of this Partnership and is therefore presumed to be supportive of the 2005 Strategy mentioned below. Some of the changes e.g. in FC 13 and FC 38, appear to downgrade the status of the Canal from multi-functional use to being merely a green tourism asset with undue emphasis on the scientific and conservation designations (e.g. the proposed changes to TD3).

We therefore request Powys County Council to make further changes so the LDP is consistent with its support for the restoration to navigation of the Canal, together with the economic benefits which this will bring.

We also ask that we are consulted on all matters relating to this LDP as it progresses by post and by email to the Chair (addresses below)

THE MONTGOMERY CANAL PARTNERSHIP

The Partnership was formed in 1999 and brought together various wildlife and navigational interests represented by voluntary trusts/societies and statutory authorities, such as Powys County Council, Shropshire Council and regulatory and other bodies. One of its purposes was to agree a way forward to effect full restoration of the whole of the

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Status	Modified	Summary
6402.F2//DM5		11/03/2016	<input type="checkbox"/>			Summary: Development Management Policies - FC15 (DM5 - Flood Prevention Measures and Land Drainage)
Source: Email		Type: Objection		Mode	Oral (Examination)	Status Maintained
<p>Montgomery Canal from Welsh Frankton in England to Newtown in Wales. Parts of the Canal in England are a SSSI and in Wales it is an SAC. It took some years to reach agreement on that way forward and compromises were needed. Eventually, in 2005 an agreed Conservation Management Strategy was agreed and published. This has many elements but a key one was that the multi-functional aspects of the Canal was recognised and accepted and that full restoration was desirable. However, this was subject to a limit on the number of boat movements; in Wales, this was agreed at 2,500 boat movements a year. About half the 35 miles of the Canal has been restored; about 12 miles either side of Welshpool and about 7 miles in Shropshire. Since 2005, the Partnership has been seeking funding for further restoration works. A £3m bid is due to be submitted to the Heritage Lottery Fund later this year. Future plans involve the continued use of voluntary groups, community payback etc.</p>						
Council Response:						0
Question: 2	Changes needed to the Focussed Change					
Representation Texts:	Requested change. We suggest the words make it clear this is not referring to canals.					
Council Response:						0
Question: 3	Reason for request to speak at hearing					
Representation Texts:	<p>About</p> <ol style="list-style-type: none"> 1.the adverse effect of the proposed changes about the Montgomery Canal, apparently downgrading it from a multi –purpose waterway to one specialising only in scientific and conservation matters. 2.The proposed changes would be contrary to the 2005 Conservation Management Strategy agreed by the Montgomery Canal Partnership, membership of which includes Powys County Council 3.The significant number of changes being proposed at this stage of the process 					
Council Response:						0
Question: 4	Summary of Representation					
Representation Texts:	To make canals exempt from Policy DM5					
Council Response:						0

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by: Representation No

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6417 Cymdeithas Yr Iaith Gymraeg

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6417.F5/DM14 11/03/2016 Summary: Development Management Policies - FC15 - DM14

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.35

Policy: DM14

Issue: 2015: Deposit Draft-10. Welsh Language and Culture and Heritage

Question Representation Texts

Question: Council Response

Representation Texts:

1) Nodwyd y sylwadau hyn am yr effaith bosibl ar yr iaith Gymraeg o ganlyniad i ddatblygiadau bychain sy'n llai na'r trothwy o 10 anheddle mewn ardaloedd gwledig. Yn gyntaf, mae'n bwysig nodi nad yw polisi DM16 yn gofyn am gynnal Asesiadau Effaith Iaith Gymraeg, fel y cyfeirir ato gan y Cynrychiolydd. Yn hytrach na hynny, mae polisi DM14 yn gofyn am gyflwyno Cynllun Gweithredu Iaith mewn perthynas â datblygiadau arfaethedig sy'n cynnwys 10 tŷ neu fwy o fewn aneddiadau sydd o fewn cadarnleoedd yr iaith Gymraeg a ddynodwyd. Mae'r dull polisi hwn yn derbyn fod gan ddatblygiadau o'r fath y potensial i gael effaith sylweddol ar yr iaith Gymraeg, ac y dylid felly sicrhau mesurau lliniaru priodol mewn perthynas â maint a lleoliad y datblygiad hwn. Nid yw strategaeth a pholisïau CDLI arfaethedig y Cyngor yn rhagweld nac yn caniatáu datblygiadau ar raddfa fawr o fewn pentrefi bychain ac aneddiadau gwledig. Dim ond datblygiadau mewnlenwi ar gyfer 1 neu 2 anheddle neu ddatblygiadau mewnlenwi mwy yn unol â Chynlluniau Gweithredu Pentrefi, estyniadau cymedrol ar gyfer tai fforddiadwy mewn pentrefi bychain ac aneddleoedd unigol i ddiwallu angen sydd wedi'i brofi am dai fforddiadwy mewn aneddiadau gwledig y mae Polisi H1 y CDLI arfaethedig yn ei ganiatáu. Byddai'r polisi hwn hefyd yn atal datblygiadau llai yn gyffredinol, er enghraifft 5 anheddle fel y cyfeiriwyd ato gan y Cynrychiolydd, mewn aneddiadau o'r fath, oni bai eu bod yn unol â Chynllun Gweithredu Pentref, y byddai angen cefnogaeth gymunedol ar ei gyfer. O ganlyniad i hynny, nid yw'r Cyngor yn ystyried ei bod hi'n angenrheidiol i'r polisi hwn fod yn gymwys i aneddiadau llai neu ddatblygiadau ar raddfa fechan. Mae'r pryder am effaith gronnu nifer o ddatblygiadau bychain sy'n cynnwys llai na 10 anheddle, yn enwedig mewn ardaloedd gwledig, wedi'i nodi. Credir y gellir ystyried effaith gronnu datblygiad penodol ar yr iaith Gymraeg, ynghyd â chaniatâd cynllunio sydd mewn bodolaeth neu wedi'i gymeradwyo, yn ystod y cyfnod cyflwyno cais cynllunio, lle bo hynny'n berthnasol. Gellid egluro'r posibilrwydd o ystyried hyn gyda'r cyfiawnhad ategol trwy gynnwys y testun ychwanegol canlynol ar ddiwedd paragraff 4.2.5 - 'Rhoddir ystyriaeth hefyd i effaith gronnu datblygiadau ar raddfa lai na'r trothwy a bennir, ynghyd â chaniatâd cynllunio sydd mewn bodolaeth a chynigion cynllunio presennol, o fewn aneddiadau a ddynodir, ynghyd ag aneddiadau llai eraill o fewn cadarnleoedd yr iaith Gymraeg, lle bo hynny'n berthnasol ac yn briodol'.

2) Nodwyd y sylwadau hyn am yr angen am arbenigedd i gynnal asesiad effaith iaith ac iddo fod yn asesiad annibynnol. Yn unol â'r Diwygiad Drafft i Nodyn Cyngor Technegol (TAN) 20 y cynhaliwyd ymgynghoriad arno, byddai'r Awdurdod Cynllunio Lleol (ACLI) yn gyfrifol am gynnal unrhyw asesiad ac am benderfynu ar ei ffurf. Gwneir cyfeiriad hefyd at y posibilrwydd o gynnwys Comisiynydd y Gymraeg. Byddai cynnal yr asesiad, ag unrhyw anghenion hyfforddiant, yn fater i'r ACLI ei ystyried yn ystod y cam cyflwyno cais cynllunio.

3) Nid yw enwau ar gyfer datblygiadau newydd yn dod o dan reolaeth y system gynllunio yn uniongyrchol. Mae enwau datblygiadau newydd yn cael eu cofrestru gan y Cyngor a deallir fod gofyn iddynt gael eu cofrestru gydag enwau dwyieithog.

1) These comments in relation to the potential impact of smaller developments of less than the 10 dwelling threshold in rural areas on the Welsh language, are noted. It is important to firstly note that policy DM16 does not require Welsh Language Impact Assessments to be carried out, as is referred to by the Representor. Instead, policy DM14 requires a Language Action Plan to be submitted in connection with proposed developments of 10 or more houses within settlements that are within the identified Welsh speaking strongholds. This policy approach accepts that such developments have the potential to have a significant impact on the Welsh language, and therefore appropriate mitigation measures should be secured in connection with this scale and location of development. The Council's proposed LDP strategy and policies do not envisage or permit large scale developments within small villages and rural settlements. Proposed LDP Policy H1 only permits infill developments for 1 or 2 dwellings or larger infills in accordance with Village Action Plans, modest extensions for affordable homes in small villages, and single dwellings to meet proven need for affordable housing in rural settlements. This policy would also generally preclude smaller developments, for instance of 5 dwellings as referred to by the Representor, in such settlements, unless they are in accordance with a Village Action Plan, for which there would need to be community support. Therefore, the Council does not consider it to be necessary for this policy to apply to smaller settlements or smaller scale developments. The concern regarding the cumulative impact of several small developments of less than 10, particularly in rural areas, is noted. It is considered

by: Representation No

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Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6417.F5//DM14 11/03/2016 Summary: Development Management Policies - FC15 - DM14

Source: Email

Type: Objection

Mode Written

Status Maintained

that the cumulative impact of a particular development, together with extant or approved planning permissions, on the Welsh language, could be taken into account at the planning application stage, where relevant. The scope to consider this could be clarified within the supporting justification by including the following additional text at the end of paragraph 4.2.5 – ‘Consideration will also be given to the cumulative impact of developments of a smaller scale than the set threshold, together with extant planning permissions and current planning proposals, within the identified settlements, along with other smaller settlements within Welsh speaking strongholds, where relevant and appropriate’.

2) These comments in relation to the need for expertise to carry out a language impact assessment and for it to be an independent assessment are noted. According to the draft Revision to TAN20 which has been consulted upon, the Local Planning Authority (LPA) would be responsible for undertaking any assessment and for determining its form, and reference is also made to the potential for involvement by the Welsh Language Commissioner. The undertaking of the assessment, including any training requirements, would be a matter for the LPA to consider at the planning application stage.

3) Names for new developments are not directly within the control of the planning system. The names of new developments are registered by the Council and it is understood that they are required to be registered with bilingual names.

Council Response:

0

Question: 1

Representation Details

Representation Texts:

1) Tra'n croesawu'r egwyddor o Asesiadau Iaith i ddatblygiadau o fwy na 10 tŷ (Polisi DM14) - mae lle cryf i ddadlau bod datblygu 5 uned mewn ardal wledig yn gallu bod yn sylweddol ac felly dylid asesu'r effaith ar yr iaith. Yn aml, gwelir sawl datblygiad o 5 tŷ yn yr un pentref neu mewn pentrefi cyfagos, gyda'r un effaith cronus a phe adeiladwyd 10 neu fwy o dai mewn un datblygiad.

2) Dylid diwygio DM14 er mwyn sicrhau bod "cynllun gweithredu iaith" neu asesiad effaith iaith datblygiad yn cael ei lunio'n annibynnol ar y datblygwr neu'r sawl sy'n cyflwyno'r cais. Dylai'r awdurdod sicrhau bod asesiadau o'r fath yn cael eu cwblhau gyda'r arbenigedd ac annibyniaeth briodol fel sail i benderfynu ar geisiadau.

3) Hefyd, dylid sicrhau bod angen i holl swyddogion cynllunio yr awdurdod dderbyn hyfforddiant er mwyn sicrhau ymwybyddiaeth o'r iaith Gymraeg, ei chymunedau, ac effaith datblygu.

4) Bod datblygiadau newydd ym mhob rhan o'r Sir yn defnyddio enwau Cymraeg ar lefydd ac NID enwau dwyieithog (DM14 4.2.68)

Ail-bwysleisiwn y sylwadau a'r egwyddorion cyffredinol a anfonon ni atoch yn eich ymgynghoriad blaenorol ar Orffennaf 20fed llynedd.

1) Although we welcome the principle of a Language Impact Assessment for developments of 10 houses or more (Policy DM14) – it could be strongly argued that developing 5 units in a rural area could be significant and that a language impact assessment should be carried out. A number of developments of 5 houses each are often seen in the same village or in nearby villages, this could have the same cumulative effect as if 10 or more houses were built in one development.

2) DM14 should be revised to ensure that a "language action plan" or the language impact assessment of a development is drawn up independently of the developer or whoever is presenting the application. The authority should ensure that such assessments are completed with the appropriate level of specialism and independence as a basis for deciding on the applications.

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6417.F5//DM14 11/03/2016 Summary: Development Management Policies - FC15 - DM14

Source: Email Type: Objection Mode Written Status Maintained

3) Also, all the authority's planning officers should receive training to ensure an awareness of the Welsh language, its communities and the effect of development.

4) That new developments in every part of the County should use Welsh placenames and NOT bilingual names (DM14 4.2.68).

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: 1) Dylid asesu'r effaith ar yr iaith o ddatblygiadau 5 uned mewn ardal wledig ac ystyried yr effaith gronnu o ddatblygiadau llai.

2) Dylid diwygio DM14 er mwyn sicrhau bod "cynllun gweithredu iaith" neu asesiad effaith iaith datblygiad yn cael ei lunio'n annibynnol ar y datblygwr neu'r sawl sy'n cyflwyno'r cais. Dylai'r awdurdod sicrhau bod asesiadau o'r fath yn cael eu cwblhau gyda'r arbenigedd ac annibyniaeth briodol fel sail i benderfynu ar geisiadau.

3) Hefyd, dylid sicrhau bod angen i holl swyddogion cynllunio yr awdurdod dderbyn hyfforddiant er mwyn sicrhau ymwybyddiaeth o'r iaith Gymraeg, ei chymunedau, ac effaith datblygu.

4) Bod datblygiadau newydd ym mhob rhan o'r Sir yn defnyddio enwau Cymraeg ar lefydd ac NID enwau dwyieithog (DM14 4.2.68)

1) A language impact assessment should be carried out for developments of 5 units in rural areas and consideration should be given to the cumulative impact of small developments.

2) DM14 should be revised to ensure that a "language action plan" or the language impact assessment of a development is drawn up independently of the developer or whoever is presenting the application. The authority should ensure that such assessments are completed with the appropriate level of specialism and independence as a basis for deciding on the applications.

3) Also, all the authority's planning officers should receive training to ensure an awareness of the Welsh language, its communities and the effect of development.

4) That new developments in every part of the County should use Welsh placenames and NOT bilingual names (DM14 4.2.68).

Council Response:

0

Question: 4 Summary of Representation

Representation Texts: Gwrthwynebiad ym mwneud a phryderon ynglyn a datblygiadau llai ar yr iaith Gymraeg mewn ardaloedd gwledig, hefyd wrth ystyried yr effaith gronnu o rhain. Hefyd yn pwysleisio'r angen ar gyfer asesiadau effaith ieithyddol annibynnol ac ar gyfer hyfforddiant swyddogion ar y mater. Yn ogystal, ystyrir y dylid enwau llefydd Gymraeg ac NID enwau dwyieithog ar gyfer datblygiadau newydd ym mhob rhan o'r sir.

Objection relating to concerns about the impact of smaller developments on the Welsh language in rural areas, also taking into the cumulative impact of these. Also highlighting the need for independent language impact assessments to be carried out and the need for Officers to be trained on the issue. In addition, it is considered that new developments

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6417.F5//DM14 11/03/2016 Summary: Development Management Policies - FC15 - DM14

Source: Email

Type: Objection

Mode Written

Status Maintained

in every part of the the County should use Welsh placenames and NOT bilingual names.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6418 Gweithgor y Gymraeg Powys / Powys Welsh Langu

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6418.F1//DM14 11/03/2016 Summary: Development Management Policies - FC15

Source: Email Type: Comment Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.35

Policy: DM14

Issue: 2015: Deposit Draft-10. Welsh Language and Culture and Heritage

Question Representation Texts

Question: Council Response

Representation Texts: 1) Nodwyd y sylwadau hyn am yr effaith bosibl ar yr iaith Gymraeg o ganlyniad i ddatblygiadau bychain sy'n llai na'r trothwy o 10 anheddle mewn ardaloedd gwledig. Yn gyntaf, mae'n bwysig nodi nad yw polisi DM16 yn gofyn am gynnal Asesiadau Effaith Iaith Gymraeg, fel y cyfeirir ato gan y Cynrychiolydd. Yn hytrach na hynny, mae polisi DM14 yn gofyn am gyflwyno Cynllun Gweithredu Iaith mewn perthynas â datblygiadau arfaethedig sy'n cynnwys 10 tŷ neu fwy o fewn aneddiadau sydd o fewn cadarnleoedd yr iaith Gymraeg a ddynodwyd. Mae'r dull polisi hwn yn derbyn fod gan ddatblygiadau o'r fath y potensial i gael effaith sylweddol ar yr iaith Gymraeg, ac y dylid felly sicrhau mesurau lliniaru priodol mewn perthynas â maint a lleoliad y datblygiad. Nid yw strategaeth a pholisïau CDLI arfaethedig y Cyngor yn rhagweld nac yn caniatáu datblygiadau ar raddfa fawr o fewn pentrefi bychain ac aneddiadau gwledig. Dim ond datblygiadau mewnlenwi ar gyfer 1 neu 2 anheddle neu ddatblygiadau mewnlenwi mwy yn unol â Chynlluniau Gweithredu Pentrefi, estyniadau cymedrol ar gyfer tai fforddiadwy mewn pentrefi bychain ac aneddleoedd unigol i ddiwallu angen sydd wedi'i brofi am dai fforddiadwy mewn aneddiadau gwledig y mae Polisi H1 y CDLI arfaethedig yn ei ganiatáu. Byddai'r polisi hwn hefyd yn atal datblygiadau llai yn gyffredinol, er enghraifft 5 anheddle fel y cyfeiriwyd ato gan y Cynrychiolydd, mewn aneddiadau o'r fath, oni bai eu bod yn unol â Chynllun Gweithredu Pentref, y byddai angen cefnogaeth gymunedol ar ei gyfer. O ganlyniad i hynny, nid yw'r Cyngor yn ystyried ei bod hi'n angenrheidiol i'r polisi hwn fod yn gymwys i aneddiadau llai neu ddatblygiadau ar raddfa fechan. Mae'r pryder am effaith gronnu nifer o ddatblygiadau bychain sy'n cynnwys llai na 10 anheddle, yn enwedig mewn ardaloedd gwledig, wedi'i nodi. Credir y gellir ystyried effaith gronnu datblygiad penodol ar yr iaith Gymraeg, ynghyd â chaniatâd cynllunio sydd mewn bodolaeth neu wedi'i gymeradwyo, yn ystod y cyfnod cyflwyno cais cynllunio, lle bo hynny'n berthnasol. Gellid egluro'r posibilrwydd o ystyried hyn gyda'r cyfiawnhad ategol trwy gynnwys y testun ychwanegol canlynol ar ddiwedd paragraff 4.2.5 - 'Rhoddir ystyriaeth hefyd i effaith gronnu datblygiadau ar raddfa lai na'r trothwy a bennir, ynghyd â chaniatâd cynllunio sydd mewn bodolaeth a chynigion cynllunio presennol, o fewn aneddiadau a ddynodir, ynghyd ag aneddiadau llai eraill o fewn cadarnleoedd yr iaith Gymraeg, lle bo hynny'n berthnasol ac yn briodol'.

2) Nodwyd y sylwadau hyn am yr angen am arbenigedd i gynnal asesiad effaith iaith ac iddo fod yn asesiad annibynnol. Yn unol â'r Diwygiad Drafft i Nodyn Cyngor Technegol (TAN) 20 y cynhaliwyd ymgynghoriad arno, byddai'r Awdurdod Cynllunio Lleol (ACLI) yn gyfrifol am gynnal unrhyw asesiad ac am benderfynu ar ei ffurf. Gwneir cyfeiriad hefyd at y posibilrwydd o gynnwys Comisiynydd y Gymraeg. Byddai cynnal yr asesiad, ac unrhyw anghenion hyfforddiant, yn fater i'r ACLI ei ystyried yn ystod y cam cyflwyno cais cynllunio.

3) Nodwyd y sylwadau hyn mewn perthynas â pherthnasedd yr iaith Gymraeg, a nifer y siaradwyr Cymraeg o fewn ardaloedd y tu allan i'r rheini a ddynodwyd o fewn polisi DM14. Mae'r polisi yn cyfeirio at ardaloedd a ystyriwyd i fod yn gadarnleoedd yr iaith Gymraeg, a ddiffinnir fel ardaloedd Cynghorau Cymuned lle mae mwy na 25% o'r boblogaeth yn siarad Cymraeg. Efallai fod ardaloedd eraill gyda niferoedd mwy o siaradwyr Cymraeg; fodd bynnag, maent yn cynrychioli cyfran lai o'r boblogaeth o fewn cymunedau hynny. Mae'r iaith Gymraeg yn rhan arwyddocaol o ffabrig cymdeithasol cadarnleoedd y Gymraeg ac mae'r ardaloedd hynny hefyd wedi dangos y gostyngiad mwyaf sylweddol yn nifer y siaradwyr Cymraeg yn ystod y degawdau diwethaf. Oherwydd hynny, maent felly'n cael eu hystyried i fod yn arbennig o sensitif i ddatblygiadau mawr newydd. Lle bo safleoedd mawr ar hap sydd heb eu rhagweld gan y Cynllun gyda'r potensial i gael effaith ar yr iaith Gymraeg yn cael eu cynnig, efallai y byddai'n briodol gofyn am gynnal asesiad effaith iaith yn ystod y cam cyflwyno cais cynllunio, fel sy'n cael ei gynghori o fewn y drafft ymgynghori diwygiedig o Nodyn Cyngor Technegol (TAN) 20. Gellir cyflwyno'r posibilrwydd o ystyried hyn o fewn y cyfiawnhad ategol i bolisi DM14 trwy ychwanegu'r frawddeg ganlynol ar ddiwedd paragraff 4.2.5. 'Efallai hefyd y byddai'n briodol gofyn am asesiad effaith iaith mewn cysylltiad â datblygiadau cymhleth ar hap y tu allan i gadarnleoedd y Gymraeg'. Gan ystyried yr uchod, nid yw'r Cyngor yn ystyried bod angen cynnwys ardaloedd eraill o fewn y diffiniad polisi o Gadarnleoedd yr iaith Gymraeg.

4) Nodwyd y cais i gynnwys yr iaith Gymraeg ar arwyddion y tu allan i Gadarnleoedd yr iaith Gymraeg. Tra gellir hyrwyddo hyn ar draws y Sir gan y Cynllun Datblygu Lleol, dim ond er mwyn diogelu cymeriad ieithyddol lleol, traddodiadau ac i hyrwyddo nodweddion diwylliannol y bydd hi'n cael ei ystyried yn angenrheidiol i ofyn am gynnwys y Gymraeg ar arwyddion o fewn Cadarnleoedd yr iaith Gymraeg.

by: Representation No

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Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6418.F1//DM14 11/03/2016 Summary: Development Management Policies - FC15

Source: Email

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Mode Oral (Examination)

Status Maintained

5) Nodwyd y sylwadau hyn o ran yr angen i ystyried datblygiad addysg cyfrwng Cymraeg ochr yn ochr â datblygiadau mwy mewn ardaloedd gyda niferoedd uchel o siaradwyr Cymraeg. Fel yr esboniwyd uchod, lle mae datblygiadau mwy ar hap yn cael eu cynnig o fewn ardaloedd y tu allan i Gadarnleoedd y Gymraeg, efallai y bydd gofyn cael asesiadau effaith iaith, a lle bydd gofyn cael mesurau lliniaru, efallai y gallai hyn gynnwys cyfraniadau tuag at ddarpariaeth addysgol, gan gynnwys darpariaeth addysg Gymraeg.

6) Nid yw enwau ar gyfer datblygiadau newydd yn dod o dan reolaeth y system gynllunio yn uniongyrchol. Mae enwau datblygiadau newydd yn cael eu cofrestru gan y Cyngor a deallir fod gofyn iddynt gael eu cofrestru gydag enwau dwyieithog.

1) These comments in relation to the potential impact of smaller developments of less than the 10 dwelling threshold in rural areas on the Welsh language, are noted. It is important to firstly note that policy DM16 does not require Welsh Language Impact Assessments to be carried out, as is referred to by the Representor. Instead, policy DM14 requires a Language Action Plan to be submitted in connection with proposed developments of 10 or more houses within settlements that are within the identified Welsh speaking strongholds. This policy approach accepts that such developments have the potential to have a significant impact on the Welsh language, and therefore appropriate mitigation measures should be secured in connection with this scale and location of development. The Council's proposed LDP strategy and policies do not envisage or permit large scale developments within small villages and rural settlements. Proposed LDP Policy H1 only permits infill developments for 1 or 2 dwellings or larger infills in accordance with Village Action Plans, modest extensions for affordable homes in small villages, and single dwellings to meet proven need for affordable housing in rural settlements. This policy would also generally preclude smaller developments, for instance of 5 dwellings as referred to by the Representor, in such settlements, unless they are in accordance with a Village Action Plan, for which there would need to be community support. Therefore, the Council does not consider it to be necessary for this policy to apply to smaller settlements or smaller scale developments. The concern regarding the cumulative impact of several small developments of less than 10, particularly in rural areas, is noted. It is considered that the cumulative impact of a particular development, together with extant or approved planning permissions, on the Welsh language, could be taken into account at the planning application stage, where relevant. The scope to consider this could be clarified within the supporting justification by including the following additional text at the end of paragraph 4.2.5 – 'Consideration will also be given to the cumulative impact of developments of a smaller scale than the set threshold, together with extant planning permissions and current planning proposals, within the identified settlements, along with other smaller settlements within Welsh speaking strongholds, where relevant and appropriate'.

2) These comments in relation to the need for expertise to carry out a language impact assessment and for it to be an independent assessment are noted. According to the draft Revision to TAN20 which has been consulted upon, the Local Planning Authority (LPA) would be responsible for undertaking any assessment and for determining its form, and reference is also made to the potential for involvement by the Welsh Language Commissioner. The undertaking of the assessment, and any training needs, would be a matter for the LPA to consider at the planning application stage.

3) These comments in relation to the relevance of the Welsh language to, and number of Welsh speakers within, areas outside those identified within policy DM14 are noted. This policy refers to areas that are considered to be Welsh language strongholds, which are defined as Community Council areas where more than 25% of the population speak Welsh. Other areas may have larger numbers of Welsh speakers, however they represent a smaller proportion of the population within those communities. The Welsh language is a significant part of the social fabric of Welsh language strongholds and these areas have also shown the most significant decreases in the number of Welsh speakers in recent decades, and therefore they are considered to be particularly sensitive to new large developments. Where large windfall sites that were not anticipated by the Plan and that have the potential to impact on the Welsh language are proposed, it may be appropriate to require a language impact assessment to be carried out at the planning application stage, as is advised within the revised consultation draft of TAN20. The scope for considering this could be provided within the supporting justification to policy DM14 by adding the following sentence at the end of para 4.2.5. 'It may also be appropriate to require a language impact assessment in connection with exceptionally large or complex windfall developments outside the Welsh language strongholds'. In view of the above, the Council does not consider that there is a need to include other areas within the policy definition of the Welsh Language Strongholds.

4) The request for the Welsh language to be included on signage outside the Welsh Language Strongholds is noted. Whilst such could be promoted across the County by the Local Development Plan, it is only considered necessary to require the inclusion of Welsh on signage within Welsh Language Strongholds in order to protect their local linguistic character, tradition and to promote cultural distinctiveness.

by: Representation No

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Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6418.F1//DM14 11/03/2016 Summary: Development Management Policies - FC15

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Status Maintained

5) These comments regarding the need for Welsh medium education development to be considered in parallel with larger developments in areas with a high number of Welsh speakers are noted. As explained above, where larger windfall developments are proposed within areas outside the Welsh Language Strongholds, language impact assessments may be required, and where mitigation is required, this may involve contributions towards educational provision, including Welsh education provision.

6) Names for new developments are not directly within the control of the planning system. The names of new developments are registered by the Council and it is understood that they are required to be registered with bilingual names.

Council Response:

0

Question: 1

Representation Details

Representation Texts:

Mae Gweithgor y Gymraeg Powys am nodi ei fod o'r farn fod yr hyn sydd yn y Polisi ar Ddatblygiadau yng Nghadarnleoedd y Gymraeg yn welliant sylweddol ar y drafft gwreiddiol, ac felly ei fod yn gefnogol o'r newidiadau hynny.

Serch hynny, mae gan y Gweithgor awgrymiadau pellach i'w hystyried.

i) Tra'r ydym yn croesawu'r egwyddor o gynnal asesiadau effaith ar y Gymraeg ar gyfer datblygiadau o fwy na 10 ty, gellid dadlau fod effaith datblygu 5 uned mewn ardal wledig yn gallu bod yn sylweddol ac felly bod angen asesiad effaith ar y Gymraeg, yn enwedig os ceir sawl datblygiad o 5 ty, ble byddai'r effaith gronnus yr un fath neu'n fwy na datblygiadau o 10 ty neu fwy. Dylid adlewyrchu hyn hefyd trwy gynnwys enwau'r aneddiadau llai yn y rhestr.

ii) Mae hefyd angen sicrhau fod rhywun â'r arbenigedd briodol i gynnal yr asesiadau effaith ar y Gymraeg, h.y. trwy ymgynghorwyr neu bod swyddogion yr Adran Gynllunio'n derbyn hyfforddiant priodol i ymgymryd â'r asesiad. Nid yw'r gweithgor o'r farn y dylai'r datblygwyr ymgymryd â'r asesiadau, oni bai bod ganddynt arbenigedd wedi'i brofi yn y maes.

iii) Mae'r Gweithgor yn croesawu cydnabod sensitifrwydd ieithyddol ardaloedd o Bowys, a bod hynny'n cael ei adlewyrchu yn y polisi. Serch hynny, rhaid cydnabod hefyd fod y Gymraeg yn perthyn i bob rhan o'r Sir, a bod niferoedd uwch o siaradwyr Cymraeg yn rhai o'r cymunedau tu allan i'r ardaloedd hynny o sensitifrwydd ieithyddol, e.e. Y Drenewydd. Credwn felly fod angen i'r Gymraeg fod ystyriaeth ar gyfer cynllunio yn yr ardaloedd hynny hefyd.

iv) Ynghlwm â'r uchod felly, dylid sicrhau amod ynghylch cynnwys y Gymraeg ar bob arwydd/datblygiad masnachol newydd yn yr ardaloedd tu allan i'r ardaloedd o sensitifrwydd ieithyddol hefyd.

v) Dylid ystyried datblygiadau addysg Gymraeg yn gyfochrog gyda datblygiadau mwy mewn ardaloedd lle mae niferoedd uchel o siaradwyr Cymraeg, e.e. Y Drenewydd/Dyffryn Hafren

vi) I warchod a hyrwyddo treftadaeth ieithyddol a diwylliannol y Sir, dylai datblygiadau newydd ym mhob rhan o'r Sir ddefnyddio enwau Cymraeg yn unig, nid enwau dwyieithog.

Powys' Welsh Language Working Group considers the Policy on Developments in Welsh Speaking Strongholds to be a significant improvement on the original draft, and is thus supportive of those changes.

Nevertheless, the Working Group has further suggestions for consideration.

i) Although we welcome the principle of conducting Welsh language impact assessments for developments of more than 10 houses, it could be argued that the impact of the development of 5 units in a rural area can be significant and therefore would require a Welsh language impact assessment, especially if there are several developments of 5

by: Representation No

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6418.F1//DM14 11/03/2016 Summary: Development Management Policies - FC15

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Status Maintained

houses, where the cumulative effect would be the same or indeed more far reaching than that of 10 houses or more. This should be reflected by including smaller settlements in the list.

ii) There is also a need to ensure that someone with the appropriate expertise conducts the impact assessments on the Welsh language i.e. consultants or that officers in the Planning Department receive appropriate training to be able undertake the assessments. The Working Group does not believe that the developers should undertake the assessments, unless they have proven expertise in the field.

iii) The Working Group welcomes the fact that the linguistic sensitivity of parts of Powys has been recognised, and that this has been reflected in the policy. However, it must also be recognised that the Welsh language is relevant to all parts of the county, and that there are higher numbers of Welsh speakers in some communities outside the areas of language sensitivity, e.g. Newtown. We therefore believe that the Welsh language should be a consideration for planning issues in those areas as well.

iv) Linked to the above therefore, there should also be a planning condition regarding including the Welsh language on all new signs / commercial developments in the areas outside the areas of language sensitivity.

v) Welsh medium education development should be considered in parallel with larger developments in areas with a high number of Welsh speakers, e.g. Newtown / Severn Valley

vi) To protect and promote the linguistic and cultural heritage of the County, new developments across the county should use Welsh names only, not bilingual names.

Council Response:

0

Question: 2

Changes needed to the Focussed Change

Representation Texts: i)Ymestyn y gofyniad ar gyfer cynnal Asesiadau Effaith ar y Gymraeg, a sicrhau fod yr asesiadau'n cael eu cynnal gan rai sydd â'r arbenigedd angenrheidiol.
ii)Sicrhau fod y Gymraeg yn ystyriaeth mewn ardaloedd y tu allan i'r rhai sy'n cael eu hystyried yn ardaloedd hynny o sensitifrwydd ieithyddol
iii)Cyfleoedd i warchod a hyrwyddo treftadaeth ieithyddol a diwylliannol y Sir trwy'r broses gynllunio

i) Extend the requirement for conducting Welsh language impact assessments, and ensure that the assessments are conducted by those with the necessary expertise.

ii) Ensure that the Welsh language is a consideration in areas outside those that are considered of linguistic sensitivity

iii) Opportunities to protect and promote the County's linguistic and cultural heritage through the planning process

Council Response:

0

Question: 4

Summary of Representation

Representation Texts: Mae'r cynrychiolaeth hwn yn gefnogol o'r polisi ar Cadarnleodd yr Iaith Gymraeg ond yn gwneud awgrymiadau ynghlych 1) effaith datblygiadau llai ar ardaloedd gwledig, effaith gronnus, ac ar gyfer cynnwys datblygiadau llai ar y rhestr; 2) yr angen ar gyfer arbennigwyr i wneud asesiadau effaith ieithyddol ac ar gyfer hyfforddiant l swyddogion i swyddogion; 3) cydnabyddiaeth fod y Gymraeg yn perthyn l bo rhan o'r Sir a dylid ei ystyried fel ffactor cynllunio yn yr ardaloedd hyn; 4) dylid rho amod ar bob datblygiad masnachol/arwydd tu allan l'r ardaloedd o sensitifrwydd ieithyddol hefyd; 5) dylid ystyried addysg Cymraeg yn gyfochrog a datblygiadau mawr mewn ardaloedd gyda niferoedd uchel o siaradwyr Cymraeg; 6) enwau Cymraeg ac nid dwyieithog ar gyfer datblygiadau newydd ar draws y Sir.

by: Representation No

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Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6418.F1//DM14 11/03/2016 Summary: Development Management Policies - FC15

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Mode Oral (Examination)

Status Maintained

This representations supports the changes to the policy on Welsh Language Strongholds but makes further suggestions in relation to 1) the impact of smaller developments on rural areas, cumulative impacts, and for smaller settlements to be included in the list; 2) the need for specialists to carry out language impact assessments and training for Officers; 3) recognition that Welsh belongs to every part of the County and that it should also be considered as a planning factor in these areas; 4) there should be a condition on all commercial developments/signs outside of the areas of language sensitivity also; 5) Welsh education should be considered alongside large developments in areas of high numbers of Welsh speakers; 6) Welsh and not bilingual names for new developments across the County.

Council Response:

0

by: Representation No

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RefPoint: 39.29 Justification: Development Management Policies - FC15

78 Home Builders Federation Ltd

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

78.F9 11/03/2016 Summary: Justification: Development Management Policies - FC15 (Policy DM5 - Flood Prevention Measures and Land Drainage)

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: The Council recommends that paragraph 4.2.34 is amended as a Matters Arising Change as follows, to reflect that this part of the Act has yet to be implemented in Wales.

"4.2.34 - The Flood and Water Management Act (2010) requires SuDS to be incorporated into all construction works that have drainage implications. However, this Part (3) of the Act has yet to be implemented in Wales, the SuDS policy above is intended to bridge the gap until the Act does come into force. Appendix 4 of TAN15 provides information and advice about the use and implementation of SUDS as part of a proposed development. SPG will also be produced to provide further guidance of the use and implementation of SUDS."

Council Response: 0

Question: 1 Representation Details

Representation Texts: Para 4.2.34 The Flood and Water Management Act (2010) - The Welsh Government release dated 30 December 2015 confirmed that the Water Management Act 2010 (Schedule 3) which requires new developments to include SuDS features that comply with national standards has not yet been commenced in Wales. Accordingly this paragraph needs to be deleted or amended. This also supports the point above about this guidance not being used as policy.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Remove paragraph Para 4.2.34 or reword to take account of the current position in Wales with regard to SuDS legislation in Wales.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: I wish to be able to speak about the objection I have raised above in the inquiry as it enables the issue to be discussed between all parties.

Council Response: 0

Question: 4 Summary of Representation

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

<i>Rep'n/Para/Policy</i>	<i>AccessnNo</i>	<i>DateLodgd</i>	<i>Late?</i>	<i>Status</i>	<i>Modified</i>	<i>Summary</i>
78.F9		11/03/2016	<input type="checkbox"/>			Summary: Justification: Development Management Policies - FC15 (Policy DM5 - Flood Prevention Measures and Land Drainage)

Source: Email

Type: Objection

Mode Oral (Examination)

Status Maintained

Representation Texts: Remove paragraph Para 4.2.34 of policy DM5 or reword to take account of the current position in Wales with regard to SuDS legislation in Wales.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

4786 Powys County Council, Highways Transport and Re

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

4786.F1//DM12 11/03/2016 Summary: Justification: Development Management Policies - FC15 - corrected citation

Source: Email Type: Comment Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.33

Policy: DM12

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: The comment is noted. It is recommended for accuracy that the acronymn "CSS" is added before "The Wales Parking Standards..." as a Matters Arising Change, albeit a minor editing amendment.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Wales parking standards should be referred to as CSS Wales Parking Standards 2008

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: None

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Seeks correction to the citation for Wales Parking Standards

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

5704 Glandwr Cymru - Canal & River Trust in Wales

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5704.F5/4.2.53/DM 11/03/2016 Summary: Justification: Development Management Policies - FC15- reword para. 4.2.53

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.34, para.4.2.53

Policy: DM12

Issue: 2015: Deposit Draft-06.Transport and Community Facilities

Question Representation Texts

Question: Council Response

Representation Texts: The Council disagrees that this change is needed to make the Plan sound.

Council Response:

0

Question: 1 Representation Details

Representation Texts: Focussed Change: FC15 Policy DM12 — Transport Requirements for New Development
It is considered that para 4.2.53 should be amended to include reference to providing arrecc or improvements to public and sustainable transport (as set out below) to provide greater flexibility in the consideration of proposals. It may be that existing sustainable forms of transport already exist and are capable of being improved or greater access to them secured as a consequence of new evelopment.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: 4.2.53 Proposals that generate significant travel demands will only be permtted where access to or adequate public and other sustainable forms of transport are improved or incorporated as part of the proposal and are consistent with the role and function of the transport network.

Council Response:

0

Question: 3 Reason for request to speak at hearing

Representation Texts: Glandwr Cymru wishes to discuss the above recommended changes and their importance to the future of the Montgomery Canal in Powys.

Council Response:

0

Question: 4 Summary of Representation

Representation Texts: Amend para. 4.2.53 to include reference to providng access or

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Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

<i>Rep'n/Para/Policy</i>	<i>AccessnNo</i>	<i>DateLodgd</i>	<i>Late?</i>	<i>Status</i>	<i>Modified</i>	<i>Summary</i>
5704.F5/4.2.53/DM		11/03/2016	<input type="checkbox"/>			Summary: Justification: Development Management Policies - FC15- reword para. 4.2.53
Source: Email		Type: Objection		Mode	Oral (Examination)	Status Maintained

improvements to public and sustainable transport.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6315 Natural Resources Wales

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6315.F5 11/03/2016 Summary: Justification: Development Management Policies - FC15 (Justification to Policy DM4 - Development and Flood Risk)

Source: Email

Type: Comment

Mode Written

Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question *Representation Texts*

Question: **Council Response**

Representation Texts: Thanks for your comment, your support for the Focussed Change is noted, the Council agree that the date needs to be changed from 2015 to 2014.

It is recommended that the corrected date is amended as a Matters Arising Change, albeit a minor editing correction. The last sentence of Paragraph 4.2.32 would read: Further information is found in "TAN 15 – Development and Flood Risk" and "The Chief Planning Policy Officers Letter (9th January 2014) - Planning Policy on Flood Risk and Insurance Industry Changes".

Council Response:

0

Question: 1 **Representation Details**

Representation Texts: 4.2.32 We welcome the direct reference as per our suggestion to the letter issued by the Planning Officer 'Planning Policy on Flood Risk and Insurance Industry Changes' but please note that the letter was issued on the 9th January 2014 and not 2015 as identified in paragraph 4.2.32.

Council Response:

0

Question: 2 **Changes needed to the Focussed Change**

Representation Texts: Change the date that the letter was issued from the 9th January 2015 to 9th January 2014 in paragraph 4.2.32.

Council Response:

0

Question: 4 **Summary of Representation**

Representation Texts: Welcome the insertion of the reference to the Chief Planning Officer's letter but need to amend the date.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6422 Welsh Government Transport

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6422.F1//DM12 11/03/2016 Summary: Justification: Development Management Policies - FC15 - DM12

Source: Type: Comment Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.33

Policy: DM12

Issue: 2015: Deposit Draft-06.Transport and Community Facilities

Question Representation Texts

Question: Council Response

Representation Texts: Your comment is noted. The Council is content that this additional text be added as a Matters Arising Change i.e. the following sentence is added to the end of Paragraph 4.2.54 "The Design Manual for Roads and Bridges (DMRB) is the relevant standard where developments may impact trunk roads".

Council Response: 0

Question: 1 Representation Details

Representation Texts: With regard to the paragraph 4.2.54 below, although TAN 18 and Manual for Streets refer to the Design Manual for Roads and Bridges (DMRB) as the relevant standard for trunk roads, it would be helpful for all developers if the DMRB was referred to directly in the text.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Existing
4.2.54 Further guidance is provided by PPW, TAN18: Transport, the Wales Parking Standards 2008, the Council's Design Guide for Industrial and Residential Infrastructure, Manual for Streets and Manual for Streets II.
Proposed amendment
i.e. 4.2.54 Further guidance is provided by PPW, TAN18: Transport, the Wales Parking Standards 2008, the Council's Design Guide for Industrial and Residential Infrastructure, Manual for Streets and Manual for Streets II. The Design Manual for Roads and Bridges (DMRB) is the relevant standard where developments may impact trunk roads.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Minor changes requested to text of para. 4.2.54.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.30 Policy DM1 – Planning Obligations - FC15

78 Home Builders Federation Ltd

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

78.F7//DM3 11/03/2016 Summary: Policy DM1 – Planning Obligations - FC15

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.20

Policy: DM3

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments. As noted, para 4.2.2 does set out prioritisation for planning obligations in cases where obligations would impact upon viability/deliverability. The Council does not consider it necessary to bring this into the wording of Policy DM1 and recommends no further to changes to the Plan in response to this Focussed Changes Representation.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Par. 4.2.2 Appears to establish an order of priority for S106 requirements if this is considered acceptable by the Inspector it should be referred to in the wording of the Policy so that it is clear. However the HBF do raise concerns about establishing a priority for S106 requirements as this can restrict the ability to negotiate on sites where viability is an issue.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Explain why an order of priority needs to be established for S106 requirements and explain how this will be taken into account when looking at the viability of individual scheme.

If an order of priority for S106 is considered appropriate wording should be included in the policy to identify this.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: I wish to be able to speak about the objection I have raised above in the inquiry as it enables the issue to be discussed between all parties.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6348 Dwr Cymru Welsh Water

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6348.F2//DM 1 11/03/2016 Summary: Policy DM1 – Planning Obligations - FC15 (DM1 - Planning Obligations)

Source: Email Type: Comment Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.20

Policy: DM 1

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question *Representation Texts*

Question: Council Response

Representation Texts: Thanks for you comment, your support for the Focussed Change is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: DM1 Planning Obligations:
We support the requirements of the policy. Water and sewerage infrastructure is a vital commodity for nearly all types of development and any improvements required to our assets to meet future development proposals would need to align with our 5 year rolling programme of Capital Improvements (Asset Management Plans – AMP's). Whilst the Local Development Plan will have a longer timeframe, water companies are governed by a Regulatory 5 year AMP therefore where development proposals would create the need for additional infrastructure in advance of regulatory improvement we would expect developers to meet this cost.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Support for requirements of Policy DM1 - Planning Obligations.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6417 Cymdeithas Yr Iaith Gymraeg

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6417.F7//DM 1 11/03/2016 Summary: Policy DM1 – Planning Obligations - FC15

Source: Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.20

Policy: DM 1

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: Nodwyd y sylwadau hyn o ran yr angen i ystyried datblygiad addysg cyfrwng Cymraeg ochr yn ochr â datblygiadau mwy mewn ardaloedd gyda niferoedd uchel o siaradwyr Cymraeg. Fel yr esboniwyd uchod, lle mae datblygiadau mwy ar hap yn cael eu cynnig o fewn ardaloedd y tu allan i Gadarnleoedd y Gymraeg, efallai y bydd gofyn cael asesiadau effaith iaith, a lle bydd gofyn cael mesurau lliniaru, efallai y gallai hyn gynnwys cyfraniadau tuag at ddarpariaeth addysgol, gan gynnwys darpariaeth addysg Gymraeg.

Nodwyd y cais a wnaed gan y Cynrychiolydd am wneud cyfeiriad at fesurau lliniaru sy'n cefnogi diogelu a gwella'r iaith a'r diwylliant Cymraeg led led y Sir ym mholisi DM1. Mae'r rhestr a gyflwynwyd o fewn y cyfiawnhad ategol ar gyfer polisi DM1 yn cynnig enghreifftiau o le y dylid gofyn am rwymedigaethau cynllunio. Fodd bynnag, nid yw hon yn rhestr ddifiniol o'r mathau o rwymedigaethau cynllunio y gellir ymgeisio amdanynt. Nid yw'n cael ei ystyried yn briodol nac yn angenrheidiol i gyfeirio at y defnydd o fesurau lliniaru'r iaith Gymraeg ar draws y Sir o fewn cyd-destun polisi DM1. Bydd yr angen am asesiad effaith ar yr iaith Gymraeg a mesurau lliniaru mewn perthynas â chynigion o fewn ardaloedd y tu allan i gadarnleoedd diffiniedig y Gymraeg yn cael ei benderfynu yn ystod y cam cyflwyno cais cynllunio, fel sydd i'w egluro o fewn y testun ychwanegol i'r cyfiawnhad ysgrifenedig ym mholisi DM14. Bydd esboniad pellach yn cael ei gyflwyno hefyd o fewn y Canllaw Cynllunio Atodol ar Rwymedigaethau Cynllunio.

These comments regarding the need for Welsh medium education development to be considered in parallel with larger developments in areas with a high number of Welsh speakers are noted. As explained above, where larger windfall developments are proposed within areas outside the Welsh Language Strongholds, language impact assessments may be required, and where mitigation is required, this may involve contributions towards educational provision, including Welsh education provision.

The request made by the Representer for reference to be made to mitigation measures that support protection and improvement of the Welsh language and culture across the County in policy DM1 is noted. The list provided within the supporting justification for policy DM1 provides examples of where planning obligations could be sought, however this is not a definitive list of the types of planning obligations that can be sought. It is not considered to be appropriate or necessary to refer to use of Welsh language impact mitigation measures across the County within the context of policy DM1. The need for a Welsh language impact assessment and mitigation measures in connection with proposals within areas outside the defined Welsh speaking strongholds will be determined at the planning application stage, as is to be clarified within the additional text to the supporting justification in policy DM14. Further explanation will also be provided within the proposed Supplementary Planning Guidance on Planning Obligations.

Council Response:

0

Question: 1 Representation Details

Representation Texts: Dylai datblygiadau mwy mewn ardaloedd fel y Drenewydd a Dyffryn Hafren sicrhau datblygiad addysg Gymraeg gyfocrog a'r datblygiadau. Felly, e.e. yn polisi DM1, dylid dileu "yng Nghadarnleoedd y Gymraeg." er mwyn annog "Mesurau lliniaru sy'n cefnogi gwarchod a gwella'r iaith Gymraeg a'i diwylliant" ymhob rhan o'r sir.

Larger developments in areas such as Newtown and the Severn Valley should ensure the development of Welsh medium education alongside the developments. Therefore for example in the DM1 policy, "in the strongholds of the Welsh language" should be deleted in order to encourage "mitigation measures that supports the protection and improvement of the Welsh language and culture" in every part of the county.

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6417.F7//DM 1 11/03/2016 Summary: Policy DM1 – Planning Obligations - FC15

Source: Type: Objection Mode Written Status Maintained

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Dileu cyfeiriad at Gadarnleoedd y Gymraeg ym mholisi DM1 er mwyn annog "Mesurau lliniaru sy'n cefnogi gwarchod a gwella'r iaith Gymraeg a'i diwylliant" ymhob rhan o'r sir.

Dilete reference to the strongholds of Welsh in policy DM1 in order to encourage "mitigation measures that supports the protection and improvement of the Welsh language and culture" in every part of the county.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Gwrthwynebiad achos ysytrir y dylai datblygiadau mwy mewn ardaloedd fel y Drenewydd a Dyffryn Hafren sicrhau datblygiad addysg Gymraeg gyfochrog a'r datblygiadau, ac felly dylid dileu "yng Nghadarnleoedd y Gymraeg." o bolisi DM1 er mwyn annog "Mesurau lliniaru sy'n cefnogi gwarchod a gwella'r iaith Gymraeg a'i diwylliant" ymhob rhan o'r sir.

Objection as larger developments in areas such as Newtown and the Severn Valley should ensure the development of Welsh medium education alongside the developments, and therefore "in the strongholds of the Welsh language" should be deleted from policy DM1 in order to encourage "mitigation measures that supports the protection and improvement of the Welsh language and culture" in every part of the county.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.31 Justification: Policy DM1 – Planning Obligations FC15

78 Home Builders Federation Ltd

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

78.F6 11/03/2016 Summary: Justification: Policy DM1 – Planning Obligations FC15

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.21

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments.
 All planning obligations must meet the tests of being: necessary to make the development acceptable in planning terms; directly related to the proposed development and fairly and reasonably related in scale and kind to the development. Planning applications are of course assessed on a case by case basis against the statutory development plan and in the light of material considerations.
 The LDP list at policy DM1 4.2.1 provides examples of cases where planning obligations might be appropriate. The Council agrees that the current wording at 4.2.1 could be confusing. The Council therefore suggests to the Inspector that in response to this Focussed Change representation, the Plan could be amended to read:
 4.2.1 The Council will only look to use planning obligations where planning conditions are considered inappropriate. Listed below are typical examples of planning obligations which will be sought where necessary:

Council Response: 0

Question: 1 Representation Details

Representation Texts: Para. 4.2.1. The HBF object to the word 'will' on the third line and request it be replaced with 'might' as the requirement for a S106 to contribute to any of the suggested areas is not a given and subject to a number of tests set out in National Guidance.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: At para. 4.2.1 replace the word 'will' on the third line with the word 'might'.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: I wish to be able to speak about the objection I have raised above in the inquiry as it enables the issue to be discussed between all parties.

Council Response: 0

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6235 CPRW Brecon & Radnor and Montgomery

Agent: **CPRW Brecon & Radnor**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F11 11/03/2016 Summary: Justification: Policy DM1 – Planning Obligations FC15

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.21

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments. Specific policy DM2 sets out a range of measures for the protection and enhancement of the natural environment. The Council disagrees that it is necessary to make specific reference to habitat loss within the Planning Obligations policy. The policy and supporting text at DM1 is worded to be applicable to a range of "negative consequences/adverse impacts" against which mitigation measures must be taken. This will include consideration of harm to ecology and biodiversity in cases where it is possible to mitigate the impacts.
The Council does not agree that any changes to the Plan are necessary in response to this Focussed Changes representation.

Council Response: 0

Question: 1 Representation Details

Representation Texts: CPRW notes that Paragraph 4.2.1 contains no planning obligations to provide habitats to fulfil mitigation and compensation, as in DM2 c) "Mitigation and/or compensation measures will need to be agreed where adverse effects are unavoidable". There is little confidence that, in the absence of planning obligations, mitigation and compensation requirements will be fulfilled. This means that biodiversity will inevitably be harmed by development which conflicts with DM2 1.v. & 1.vi and DM2 c)

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Include planning obligations to provide full mitigation and/or compensation for important habitat loss.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: Need for robust measures to prevent development progressively reducing important habitats essential to maintain biodiversity.

Council Response: 0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F12 11/03/2016 Summary: Justification: Policy DM1 – Planning Obligations FC15

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6235.F12 11/03/2016 Summary: Justification: Policy DM1 – Planning Obligations FC15

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.21

Issue: 2015: Deposit Draft-09.Development Management and Environment

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments.
 Planning obligations may only be used where they meet the tests of being: necessary to make the development acceptable in planning terms; directly related to the proposed development and fairly and reasonably related in scale and kind to the development.
 It is not appropriate to use Planning Obligations in cases where development is “unacceptable”. Obligations can rightfully be used where they provide the opportunity to “offset the negative consequences of development” so as to make the development acceptable in land use planning terms. The Council do not agree that “significant adverse socio-economic and environmental impacts” could be addressed by “mere words”.
 The Council considers that the current policy wording and supporting text in DM1 is sufficiently detailed and considers that the suggested new wording is neither relevant or necessary. When the Plan is read as a whole there are a range of policies which set out to protect and enhance the natural environment and ensure appropriate mitigation and/or improvement measures for biodiversity/ecology etc. Policy DM1 therefore interrelates with other specific policies found elsewhere in the Plan.
 The Council does not agree that any changes to the Plan are required in response to this Focussed Changes representation.

Council Response: 0

Question: 1 Representation Details

Representation Texts: DM1 2. CPRW considers that rather than being 'addressed', which could be fulfilled by mere words, significant adverse socio-economic and environmental impacts must be avoided or if avoidance is impossible, full compensation/mitigation of appropriate type and scale should be required.
 DM1 4.2.1. For the avoidance of all doubt it should be made clear in the LDP that there are developments where the scale of impact means they must be refused and no mitigation or compensation provides recompense for the adverse impacts.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: DM1 2 change text:
 'significant adverse socio-economic and environmental impacts must be avoided wherever possible. When this is impossible, and refusal is not recommended, full compensation/mitigation of appropriate type and scale should be required'.
 DM1 4.2.1 Add text after 'inappropriate'.
 'There are developments where the scale of impact means they must be refused and no mitigation or compensation provides recompense for the adverse impacts'

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: Clear assessment of whether mitigation/compensation is an appropriate way of making a development acceptable and, if so, is of correct type and scale. Avoiding the

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F12 11/03/2016 Summary: Justification: Policy DM1 – Planning Obligations FC15

Source: Email

Type: Objection

Mode Oral (Examination)

Status Maintained

'negotiating away' of major unacceptable impacts by offer of incommensurate planning obligations.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.35 Economic Development - FC16

6315 Natural Resources Wales

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6315.F7 11/03/2016 Summary: Economic Development - FC16 Para 4.4.1

Source: Email Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.40

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question Representation Texts

Question: Council Response

Representation Texts: The Support is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Focussed Change FC16 We welcome the insertion of the text noted in paragraph 4.4.1 that ensures that employment development shall reflect the character of the towns, villages and countryside settings in which they are located.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.36 Policy E1 - Employment Proposals on Allocated Employment Sites - FC17

439 Newtown & Llanllwchaern Town Council

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

439.F3//E1 08/03/2016 Summary: Policy E1 - Employment Proposals on Allocated Employment Sites - FC17

Source: Email Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.40

Policy: E1 Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question Representation Texts

Question: Council Response

Representation Texts: Support for FC15 is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Newtown and Llanllwchaern Town Council welcomes the inclusion of Protection of Existing Employment Sites in the LDP.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Supports Policy DM17 - Protection of existing employment sites.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.42 Table E1 - Employment Site Allocations - FC19

542 Abermule (with) Llandyssil Community Council

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

542.F3 11/03/2016 Summary: Table E1 - Employment Site Allocations - FC19

Source: Type: Support Mode Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.41

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question Representation Texts

Question: Council Response

Representation Texts: Your supportive comments are noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: We note the broadening of the remit for the Abermule Business Park to include a wider range of uses and Local as well as High Quality categories in response to comments made by the Community Council. We welcome this as being more likely to achieve occupation of the site and local employment or expansion opportunities after a protracted period of time. We further note the commitment to sensitive landscaping of the site as it develops.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

1084 Welsh Government

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1084.F5 11/03/2016 Summary: Table E1 - Employment Site Allocations - FC19

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.41

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question Representation Texts

Question: Council Response

Representation Texts: Your representation is noted. However, following representations on the Schedule of Focussed Changes including those made by Welsh Government, the Council is undertaking a review and preparing a position statement to provide clarity with regards the relationships between published evidence, the selection of employment land allocations and the LDP strategy.

No additional changes to the LDP are anticipated, but should any further changes result from this additional work, these will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response:

0

Question: 1 Representation Details

Representation Texts: The Welsh Government remains concerned that key elements of your LDP are not supported by evidence. Whilst it will be for the Planning Inspectorate to determine how the examination proceeds and establish the soundness of your Plan, we are of the view that there is a significant risk the Plan may be found unsound.

NOTE: We are not commenting at this time on each focussed change or new piece of evidence. We reserve this right for a later date.

Key Area of Concern 5:

Employment – We raised concerns regarding the relationship between the evidence and the allocations in the LDP. Specifically we were concerned that the relationship between issues identified in the evidence, the allocations and the LDP strategy is not clear; the significant inflation of the employment land requirement to meet future demand is contrary to the viability evidence which says no employment related development would be viable; and it is not clear whether a sequential approach to site selection has been followed. The updated evidence from Jan 2016 provides a useful commentary on recent developments, permissions and enquiries but does not address the aforementioned concerns.

MOVING FORWARD:

Notwithstanding the significant issues raised in this letter, much of the work undertaken by the Council will be of value moving forward. The Council has a broad range of evidence and, in general terms, our concerns relate to how evidence has been taken forward rather than there being an absence of evidence. The supporting evidence often provides a good overview of the issues the LDP must address and it is, again in general terms, the disconnect between the evidence and LDP policies that requires further work.

For employment, further work is required to explain how the evidence has shaped the LDP's strategy and the allocations. In general terms, the evidence provides a good overview of the issues but does not explain how the sites chosen deliver wider objectives other than representing a range and choice of sites. The approach to employment represents an opportunity to deliver wider strategic objectives, including the spatial strategy, housing and social objectives and further work is required to examine this.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

<i>Rep'n/Para/Policy</i>	<i>AccessnNo</i>	<i>DateLodgd</i>	<i>Late?</i>	<i>Status</i>	<i>Modified</i>	<i>Summary</i>
1084.F5		11/03/2016	<input type="checkbox"/>			Summary: Table E1 - Employment Site Allocations - FC19
Source:		Type:	Objection	Mode:	Oral (Examination)	Status: Maintained

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.43 Policy E4 – Bronllys Health Park - FC20

528 Talgarth Town Council

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

528.F1//E4 11/03/2016 Summary: Policy E4 – Bronllys Health Park - FC20

Source: Type: Comment Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.43

Policy: E4 Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question Representation Texts

Question: Council Response

Representation Texts: The support is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Talgarth Town Council fully supports Policy E4 including paragraphs 4.4.10 / 11 /12

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Support for E4

Council Response: 0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

528.F2//E4 11/03/2016 Summary: Policy E4 – Bronllys Health Park - FC20 - para. 4.4.11

Source: Type: Comment Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.43

Policy: E4 Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Status	Modified	Summary	
528.F2/E4		11/03/2016	<input type="checkbox"/>			Summary: Policy E4 – Bronllys Health Park - FC20 - para. 4.4.11	
Source:		Type:	Comment	Mode	Written	Status	Maintained
<hr/>							
<i>Question</i>	<i>Representation Texts</i>						
Question:	Council Response						
Representation Texts:	The support is noted.						
Council Response:							
Question: 1	Representation Details						
Representation Texts:	The Town Council also welcomes the commitment in Paragraph 4.4.11 of Powys County Council to work with the BBNPA on a joint development brief prior to its adoption as Supplementary Planning Guidance.						
Council Response:							
Question: 4	Summary of Representation						
Representation Texts:	Support for para. 4.4.11						
Council Response:							

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6230 Powys Health and Well Being Action Group

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6230.F1//E4 11/03/2016 Summary: Policy E4 – Bronllys Health Park - FC20

Source: Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.43

Policy: E4 Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question Representation Texts

Question: Council Response

Representation Texts: The Support is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: The Bronllys Well Being Steering Group and Powys Health and Well Being Action Group both fully support the redesignation from Bronllys Health Park to Health and Well Being Park.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: No changes;
Just support for the change from Health Park to Health and Well Being Park at Bronllys

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.44 Policy T1 – Transport Infrastructure- FC21

6192 Gardiner, Mr Ben

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6192.F7//T1 10/03/2016 Summary: Policy T1 – Transport Infrastructure- FC21

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.44

Policy: T1 Issue: 2015: Deposit Draft-06.Transport and Community Facilities

Question Representation Texts

Question: Council Response

Representation Texts: Policy DM12 - Transport Requirements for New Development – this policy is clear that development must incorporate the access needs of “all transport users, especially pedestrians and cyclists and those with disabilities or mobility impairment”.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Transport
Llanfyllin has an elderly population, with those of working age often being on low incomes. Therefore affordable public transport is crucial to enable the inhabitants to have a reasonable standard of living and access to services in larger towns such as Welshpool and Oswestry. At present the bus services are infrequent and finish too early in the afternoon to support the employed.

There has been no consideration of cycling and its potential for workers and school pupils to find an alternative form of transport. There are no safe routes to work and school at present and the proposed LDP for Llanfyllin fails to visit this requirement. The provision of safe cycle routes would also enhance tourism and encourage visitors too.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: LDP fails to promote safe walking and cycling routes.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6416 on behalf of Residents Group

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6416.F13/T1 10/03/2016 Summary: Policy T1 – Transport Infrastructure- FC21

Source: Type: Objection Mode Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.44

Policy: T1

Issue: 2015: Deposit Draft-06.Transport and Community Facilities

Question Representation Texts

Question: Council Response

Representation Texts: The Council does not agree with this Representation. Objections raised with regards access to any development were considered in relation to housing site allocation P06 HA1 and were included as Issues in the proposed Focussed Changes to Appendix 1 - Focussed Change FC 45. These issues would require to be addressed when any development application is made. The Representor does not raise new issues or evidence which lead the Local Planning Authority to change its conclusions.

The Council does not agree that the site should be removed, but it will be for the Inspector to decide if the site should be excluded as a housing land allocation in the final adopted LDP.

Council Response: 0

Question: 1 Representation Details

Representation Texts: This change emphasises the need to ensure that residents of any new development are able to walk or cycle safely. With the potential new development (P06 HA1 - 1008) at Llyswen this will prove to be very difficult if not impossible with respect to pedestrian and cycle access due to the limited and poor quality pavements alongside the very busy A479 which is adjacent to the proposed development (see appendices 2. and 3. provided for FC15). There is no cycle path through the village. Residents with disabilities or mobility impairment will find it difficult if not impossible to cross the A479 and access the village amenities.

(appendices 2 & 3 - two photographs).

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: The pathways, disability access to the village, cycle paths are either non-existent or in very poor condition. There is no scope to add further pavements etc due to the main road and current dwellings either side of the road. This point cannot be met to ensure that the LDP is sound.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Request for removal of site allocation P06 HA1.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.46 Policy H1 - Housing Provision - FC22

5695 Bardsley, Mrs Margaret

Agent: **Strutt & Parker LLP (Chester)**

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

5695.F1//H1 11/03/2016 Summary: Policy H1 - Housing Provision - FC22

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.45

Policy: H1

Issue: 2015: Deposit Draft-02. Housing - Distribution and Numbers

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments which are noted. However, following representations on the Schedule of Focussed Changes including those made by Welsh Government and the points raised by the Inspector in her letter of 5 April 2016, the Council is producing further work to more clearly explain the rationale behind the housing requirement and housing provision figures as published in the Deposit Plan and the subsequent revised figures as published in the Focussed Changes Schedule.

Please note that any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Our objection to the Plan remains as per the previously submitted consultation representations.

Powys County Council submitted their Local Development Plan Draft in July 2014, and in September 2014 the Welsh Government outlined their concerns regarding the soundness of the Plan. It was stated that the Authority had not justified the use of the 2011 Government lower variance housing projections. The revised draft now increases the housing target from 5,000 to 6,129 dwellings. The 2016 Deposit Plan still uses 2011 Government projections, despite the starting point needing to be 2011 projections plus a ten year migration rate. In order for the economic and social aspirations of the Plan to be taken account of, the proposed level of housing for the plan period should be between 6,449 and 10,775 new dwellings. It is important to note that if the Authority do not further increase their level of housing growth, there is concerns around the Plan again being found unsound as it will not be based on robust and credible evidence (test of soundness CE2).

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: The proposed level of housing growth should be increased.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: Objection on the Local Plan and proposed allocation for housing development on the land at Tan-y-Gaer.

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

<i>Rep'n/Para/Policy</i>	<i>AccessnNo</i>	<i>DateLodgd</i>	<i>Late?</i>	<i>Status</i>	<i>Modified</i>	<i>Summary</i>
5695.F1//H1		11/03/2016	<input type="checkbox"/>			Summary: Policy H1 - Housing Provision - FC22
Source:		Type: Objection		Mode	Oral (Examination)	Status Maintained

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Objection to housing figures - representor contends the Authority should be planning for a higher level of growth.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.48 Policy H2 - Housing Delivery - FC23

78 Home Builders Federation Ltd

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

78.F11//H2 11/03/2016 Summary: Policy H2 - Housing Delivery - FC23 - Development Briefs

Source: Type: Comment Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.46

Policy: H2 Issue: 2015: Deposit Draft-03. Housing - Delivery and Infrastructure

Question Representation Texts

Question: Council Response

Representation Texts: These comments regarding the requirements and process associated with development briefs are noted.

In response to concerns raised regarding potential for delay, the Council considers that the use of development briefs is likely to improve the efficiency and consistency of the planning process by providing clarity on the interpretation of policy and is a way to address site specific constraints. Although it is intended for briefs to be developer-led, the involvement of the Council in this process will be key in order to enable it to be approved as SPG. Where development briefs are adopted as SPG, and are subject to public consultation, they will carry appropriate weight in the planning process.

The Council considers that the development brief process is distinct from the plan-making process. The Council has identified the key issues relating to each of its proposed allocations in Appendix 1, however the use of development briefs is intended to assist in addressing particular site constraints and opportunities and also to provide specific guidance on particularly sensitive features of the site.

Council Response: 0

Question: 1 Representation Details

Representation Texts: The HBF suggest greater clarification is required over the status, timing and process associated with the suggested 'development briefs'. From HBF's experience Development Briefs for large scale developments are normally prepared by the Council and the idea of the developer preparing it and then the Council agreeing to it raises a number of concern, although in principle we support developers and Council working together to prepare development briefs our concerns include.

That the proposed method has the potential to lead to lengthy delays in taking development forward due to delays in agreeing the brief. Much of the information required for a development brief should already be available to the Council having assessed the development potential for the site as part of the process of allocating it, so key issues could be identified at this stage rather than having to wait for a separate process.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: The clarification required is what status will such development briefs have and what would be the process of agreeing them?

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

78.F11//H2 11/03/2016 Summary: Policy H2 - Housing Delivery - FC23 - Development Briefs

Source: Type: Comment Mode Oral (Examination) Status Maintained

Question: 3 Reason for request to speak at hearing

Representation Texts: I wish to be able to speak about the comment I have raised above in the inquiry as it enables the issue to be discussed between all parties.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Representor requests clarification on requirements and process for Development Briefs.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

542 Abermule (with) Llandyssil Community Council

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

542.F2/H2 11/03/2016 Summary: Policy H2 - Housing Delivery - FC23

Source: Type: Not duly made Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.46

Policy: H2 Issue: 2015: Deposit Draft-03. Housing - Delivery and Infrastructure

Question Representation Texts

Question: Council Response

Representation Texts: The Council does not consider this to be a duly made representation as the focussed change it refers to (FC23) is an additional criterion to policy H2 in relation to development briefs.

Whilst the supporting justification to policy H2 (para.4.6.4) refers to meeting local needs by providing an appropriate range and mix of housing, including particular supported accommodation and sheltered housing, the content of this paragraph is not subject to a focussed change, except for a minor change to reference to policy DM15 at the end of the paragraph (Minor Change 6). The site referred to, land adjacent Abermule Hotel, is not referred to in Appendix 1 to the LDP as the Council has not included this as an allocation. This alternative site, known as land adjacent Court Close (reference ASN57) was put forward by the Representor at the deposit stage. The Council response to that representation explained that it considered that there were sufficient sites elsewhere, that the site was relatively small and also that part of the site lies within a C2 floodzone, and therefore the Council has concluded that the site should not be allocated.

This matter will be considered by the Independent Planning Inspector conducting the examination into the soundness of the Powys LDP.

Council Response: 0

Question: 1 Representation Details

Representation Texts: FC23 - Policy H2 - Omission (potentially links to FC45 - site allocations)

We note that our request for the County Council owned land adjacent to the Abermule Hotel to be designated for sheltered housing/accommodation suitable for older/disabled people is not included. There is a very genuine need to enable people to stay in the village or for those in surrounding settlements to move into the village and maintain their independence with the proximity of a shop and community centre and bus routes to Newtown/Welshpool.

This is of particular importance given the proposed re-scheduling of Older People's Services (see Joint Commissioning Strategy and Plan for Older People in Powys - 2016) and the imperative to keep older people safe and independent in their own homes in the community. The Community Council requests that this matter be reconsidered.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Sites identified as suitable for sheltered/adapted accommodation are included in the LDP and given protection for this purpose.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

542.F2//H2 11/03/2016 Summary: Policy H2 - Housing Delivery - FC23

Source: Type: Not duly made Mode Oral (Examination) Status Maintained

Representation Texts: That potential provision for sheltered accommodation in suitable locations in communities be included in the LDP.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Requests the inclusion of allocated sites for specialist housing needs - eg sheltered housing/adapted accommodation

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.52 Policy H4 - Affordable Housing Contributions - FC24

78 Home Builders Federation Ltd

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

78.F12//H4 11/03/2016 Summary: Policy H4 - Affordable Housing Contributions - FC24

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.47

Policy: H4 Issue: 2015: Deposit Draft-04. Housing - Affordable Housing

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments which are noted. However, following representations on the Schedule of Focussed Changes including those made by Welsh Government and the points raised by the Inspector in her letter of 5 April 2016 the Council is producing further work to more clearly explain the rationale behind the housing requirement and housing provision figures and is also undertaking a review of the Viability Study. These topics are clearly linked to the Plan's strategy for the delivery of affordable housing which the Council will also need to clarify in updated papers in due course.

Please note that any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response:

0

Question: 1 Representation Details

Representation Texts: The HBF object to the increase in the affordable housing percentage from 20% to 30 % in Central Powys, as the reason given is not sound and justified. It is quite clear from the wording elsewhere in the plan that no decision has yet been made as to whether or not the Council will adopt a CIL charge. Therefor a policy requirement which links directly to CIL cannot be changed until such time that a decision is made. CIL guidance also suggests that the impact of CIL should be neutral when considered against the existing situation of S106's, so it does not follow that not having CIL will mean there is more viability in the scheme as the need to mitigate against the impact of the development will still be taken account of as part of any S106 agreement.

The Councils viability assessment states at para 12.5 that:

'Through the iterative plan making process the Council have decided to take a cautious approach and set the requirement for affordable housing at a lower rate of 20%. This will ensure development is forthcoming and enable development to make a contribution to infrastructure costs.'

The HBF see no evidence presented as part of the focused changes to change this decision and would note that infrastructure costs associated with new development may still be required through S106 agreements even if CIL does not come forward. We further note that the Council have identified concerns elsewhere in the focused changes about the level of development coming forward using this concern as a reason to lower the housing requirement, so it then makes no sense to increase the affordable % requirement which in turn increases the risk of development not coming forward.

The HBF objected to the removal of the wording 'subject to detailed viability assessments' in point 2. All affordable Housing policies should include wording which allows for the viability of schemes to be considered when agreeing the level of contribution of affordable housing.

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

78.F12//H4 11/03/2016 Summary: Policy H4 - Affordable Housing Contributions - FC24

Source: Type: **Objection** Mode: **Oral (Examination)** Status: **Maintained**

This need for flexibility is highlighted in the Council own viability study at para. 12.10 where it states:

'It will be necessary for the Council to continue to be flexible over the implementation of policies as there is no doubt that not all sites will be able to bear the full policies requirements.'

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: The percentage of affordable in should be changed back to 20% as previously proposed, this would also require the affordable housing target figure to be amended at various locations through the plan.

Wording which allows for this flexibility around viability assessment needs to be reinstated in the policy. This very point is accepted in para. 3.14 of the Councils Affordable Housing Update Jan 2016.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: I wish to be able to speak about the objection I have raised above in the inquiry as it enables the issue to be discussed between all parties.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Objection to the increase in the affordable housing contribution in Central Powys and objection to wording change.

Council Response: 0

Page 2 of 11

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.71 Justification: Policy H13 - Gypsy and Traveller Sites and Caravans - FC31

1084 Welsh Government

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1084.F4//H13 11/03/2016 Summary: Policy H13 - Gypsy and Traveller Sites and Caravans

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.64

Policy: H13

Issue: 2015: Deposit Draft-05.Other Specialist Housing and Gypsy & Travellers

Question Representation Texts

Question: Council Response

Representation Texts: In accordance with the Housing (Wales) Act 2014, the Council prepared and submitted a GTAA to Welsh Government in Feb 2016 and this is awaiting approval by Welsh Government Ministers. The findings of the GTAA, once approved, will inform the LDP and it is recommended that any changes necessary to the LDP are addressed via Matters Arising Changes. A position statement on the accommodation needs of Gypsies and Travellers will be prepared by the Council to clarify the findings of previous studies and the GTAA 2016 requirements.

The County Council is currently taking steps to meet the need identified in Machynlleth as soon as reasonably possible, including the consideration of site options, with a view to applying for planning permission shortly. Once a planning application has been prepared, and planning permission secured, it will be possible to accurately delineate the site's boundary in the LDP.

Council Response:

0

Question: 1 Representation Details

Representation Texts: The Welsh Government remains concerned that key elements of your LDP are not supported by evidence. Whilst it will be for the Planning Inspectorate to determine how the examination proceeds and establish the soundness of your Plan, we are of the view that there is a significant risk the Plan may be found unsound.

NOTE: We are not commenting at this time on each focussed change or new piece of evidence. We reserve this right for a later date.

Key Area of Concern 4:

Gypsies and Travellers – We raised concerns that the evidence didn't quantify the need for either permanent or transit sites or when within the plan period they would be required. FC31 does not address our concerns. There is still an unmet need for 3 immediate pitches in Machynlleth. The 'area of search' identified on the proposals map does not identify the precise location of a site and creates uncertainty for future proposals. We also remain concerned regarding the physical and financial implications of delivering the site by 2016. We note that in accordance with the Housing (Wales) Act 2014, a new Gypsy Traveller Accommodation Assessment (GTANA) will be submitted to the Welsh Government (Inclusion Unit) in February/March 2016. Any implications for the policies/proposals in the LDP arising from this assessment will need to be considered as part of the examination process.

MOVING FORWARD:

The Council must, through evidence, identify the need for gypsy and traveller sites. The GTANA should provide this evidence. The LDP must identify sites to meet this need in

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1084.F4//H13 11/03/2016 Summary: Policy H13 - Gypsy and Traveller Sites and Caravans

Source: Type: Objection Mode Oral (Examination) Status Maintained

accordance with the requirements of national planning policy. If the LDP fails to do this, it is likely to be found unsound on the issue that demand is not matched by provision.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Concern re: unmet need for G & T pitches plus delivery of site by 2016. Implications of new GTANA (2016) for the LDP will need to be considered as part of the examination.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.84 Justification: Policy TD1 – Tourism Development - FC36, FC37

6192 Gardiner, Mr Ben

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6192.F6//TD1 10/03/2016 Summary: Justification: Policy TD1 – Tourism Development - FC36, FC37

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.54

Policy: TD1

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question Representation Texts

Question: Council Response

Representation Texts: These comments are noted. However, the Council does not agree with the representation as the LDP does not set out to identify and promote individual locations or areas for tourism, instead it contains policies to enable tourism developments across the county (subject to restrictions that ensure sustainability) and protect existing tourism development from adverse harm.

The Council therefore does not consider that any further changes are required to the Plan.

Council Response:

0

Question: 1 Representation Details

Representation Texts:

Tourism

No substantive reference is made to tourism in the Llanfyllin area and North Powys with the exception of the existing infrastructure. The initial public consultation was very limited in scope and poorly advertised, whilst looking only at housing so it little wonder that this latest document is totally lacking in any local vision as this was never sought. If Llanfyllin is to have a future it needs support to develop tourism relating to its natural resources and location.

The Llanfyllin area has a rich tapestry of footpaths and bridleways set in unspoilt, varied countryside but these are neglected and poorly signed. There is great potential for the area to become a walking area for those who want to get away from the crowds of the Lake District and Peak District. However, there needs to be a serious investment in the infrastructure to enable the economy of the area to benefit from this. This investment has to be done at County level, it cannot be expected that private investment will supply parking spaces, circular routes, interpretative signs and the like.

Norway has shown that when there is investment in tourism infrastructure visitors will come in large numbers and the pay back is much greater than the initial investment. The LDP for the Llanfyllin area fails to visit these issues at all as Powys County Council seems only able to focus on the Brecon Beacons in relation to tourism.

North Powys is an area of outstanding natural beauty without the status. It has many small farms and there seems to be resistance by the landowners in regard to maintaining and facilitating walking in the countryside. The single farm payment is a mechanism by which Wales/Powys could ensure that landowners meet their obligations to maintain the rights of way on their land to a safe standard. Please refer to attachment Ideas for increasing the number of visitors to the countryside in Wales.

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6192.F6//TD1 10/03/2016 Summary: Justification: Policy TD1 – Tourism Development - FC36, FC37

Source: Email

Type: Objection

Mode Written

Status Maintained

Supporting Evidence submitted:

Ideas for increasing the number of visitors to the countryside in Wales

- Review the use of barbed wire and licence its use. At present there is an enormous amount of barbed wire in the countryside. Often left on the ground from previous fencing work and used to top fencing right next to rights of way, even though it is classified by the Dept of Transport as 'an injurious topping', which should not be used next to rights of way. It is a danger to walkers, horse riders, livestock and wildlife and also has very negative associations in the public's thoughts I.e. World War 1.
- Review of rights of way to select those that can be used to create circular walks that would be popular with visitors. These need to be maintained, signed, mapped and supported with some parking at the beginning of the routes. The National Parks have great networks of rights of way that are generally well maintained but elsewhere in Wales it is really difficult to have an incident free country walk.
- Open access land needs to be more clearly defined so that visitors understand about their rights and responsibilities. It is very difficult to find out which areas of land have open access and which do not.
- Limits need to be set on the size of farm vehicles. These have increased in size and speed to the point at which they pose a serious threat to other road users. They are not designed for the narrow, single track lanes of Wales. They damage the verges that often contain important flora and fauna and damage soil structure. If Wales is to attract more visitors there needs to be an appreciation that the countryside is shared space, including the minor public roads.
- Single farm payments. From our observations this seems to be used as a supplementary income for the farmers and is not reinvested in the farm's infrastructure and buildings. Apparently Pillar 2 of the farm payment links to environmental management but we see little evidence of this. Public financial support for farming needs to be reviewed to ensure that there is a benefit to the public and that it is cost effective.
- The Glastir payments organised by WAG need to be far more transparent. They are often linked to public access and public usage of the land in the scheme but it is virtually impossible to find out about these areas and any local schemes.
- Motocross motorbikes are causing huge amounts of damage to rights of way and the countryside in general. They cause distress to walkers and horse riders. If Wales is to benefit economically from having more visitors this issue needs to be addressed and the motorbike riders need to be given safe and appropriate alternatives to literally riding roughshod over footpaths and bridleways.
- Natural Resources Wales need to look at its land management and replanting schemes. We walk a great deal near Lake Vyrnwy which has great potential as an area that could attract and support a large number of visitors to North Powys. However, there are very few organised footpaths that are coherent, the policy of clear felling and planting with one species of conifer and the failure to take the opportunity to link forestry routes to make them in to circular walk/cycle ways means that the possibility of exploring the area is very limited and frustrating. The planning process could be used to ensure that felling licences are tied to beneficial land management and access. Most visitors limit themselves to walking or cycling on the road that was constructed by Liverpool City Council. WAG and Powys County Council really need to invest in this area to benefit from its potential. The RSBP has over one million members and has a present at the lake so with reasonable links to the West Midlands the Lake Vyrnwy area has great potential for sustainable tourism.
- Llanfyllin has potential as a hub for visitors to both the Berwyns and the Lake Vyrnwy area. If investments were made to the infrastructure in Llanfyllin the increased footfall would support local businesses and increase employment. At present visitors tend to drive or cycle through without stopping but if the town had an information centre, cycle hire, organised cycle routes and walking routes from the town etc. they would be attracted to stop and support the local economy. Creative ways of adding value to visitor experiences needs to be brought to Mid Wales.

Carl Sargeant, Minister for Natural Resources, WAG wants Wales to be the number one destination for walkers in the world. Certainly our daughter has done a comparative study of Wales and Norway as part of her degree and feels that large areas of Wales have potential to benefit from sustainable tourism. However, Norway has had a coherent policy of investing in its infrastructure to support tourism throughout whereas the vision in Wales is piecemeal with the National Parks and Areas of Outstanding Natural Beauty receiving all the support and investment whilst areas with lots of potential but no special status such as North Powys get completely overlooked.

Young people growing up in North Powys perceive there is no future for them here. Our daughter is studying architecture in Oxford and her Welshpool boyfriend is studying earth

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6192.F6//TD1 10/03/2016 Summary: Justification: Policy TD1 – Tourism Development - FC36, FC37

Source: Email Type: Objection Mode Written Status Maintained

sciences in Durham. Neither of them have any intention of returning here, and this true of many of their counterparts. If North Powys is to maintain its services and quality of life for its inhabitants it has a great deal of work to do to create a positive experience for visitors and residents alike, that enhances well being and health, encourages repeat visits and contributes to the local economy.

I am fed up with meeting visitors who are struggling with walking in the area who say 'its a lovely area but the footpaths are in a terrible state, its such a shame'.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Lack of reference to Llanfyllin in FC36 / FC37

Council Response: 0

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6235 CPRW Brecon & Radnor and Montgomery

Agent: **CPRW Brecon & Radnor**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F22//TD1 11/03/2016 Summary: Justification: Policy TD1 – Tourism Development - FC36 - Support for.

Source: Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.54

Policy: TD1

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question Representation Texts

Question: Council Response

Representation Texts: The Support is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: CPRW welcomes the clearer acknowledgement of the importance of the tourism industry both to our economy and rural infrastructure as well as the positive planning measures for appropriate tourism related development.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Support for changes to TD1 - Tourism Development

Council Response: 0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F23//TD1 11/03/2016 Summary: Justification: Policy TD1 – Tourism Development - FC37 - Objection to.

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.54

Policy: TD1

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

by: Representation No

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RefPoint: 39.87 Policy TD3 – Montgomery Canal and Associated Development - FC38

439 Newtown & Llanllwchaearn Town Council

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

439.F4/TD3 08/03/2016 Summary: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.55

Policy: TD3

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question Representation Texts

Question: Council Response

Representation Texts: Para. 4.8.12: a) The Council does not agree with this Representation. No change is considered necessary as the sentence was amended in response to earlier representation to reflect the entire length of the Montgomery Canal by reference to "Frankton Locks and the Llangollen Canal".
b) The Council does not agree with this comment. This part of the sentence is not the subject of a Focussed Change.

Para. 4.8.14: In response to additional evidence received the Council have recognised the need to distinguish restoration of the canal from any proposed canalside development. The Council proposes the following revision to para. 4.8.14:

"4.8.14 Appropriate canal-related developments are uses that can demonstrate that they are associated with , and justify locations in close proximity to the canal, and would be supported provided discussions with potential applicants/developers and the Council/National Conservation Body are undertaken at the earliest opportunity to ensure that there is no adverse impact on the designated site and meet appropriate Development Management policies. Examples include:
Moorings
Boat Services
Canal side visitor services and accommodation

Proposals of this kind will be supported in line with policies SP2 and TD1 provided they do not impact adversely on the statutory designations, local settings or canal heritage. "

Council Response:

0

Question: 1 Representation Details

Representation Texts: Tourism Development Policy TD3 – Montgomery Canal and Associated Development

Paragraph 4.8.12

a) Newtown and Llanllwchaearn Town Council is of the view that the paragraph should be amended to state the names of both ends of the canal, and include the words 'from Newtown'. The new sentence should read: '...over its entire length from Newtown to Frankton Locks...'

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

439.F4/TD3 08/03/2016 Summary: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Email Type: Objection Mode Written Status Maintained

b) Newtown and Llanllwchaïarn Town Council is of the view that the paragraph should not include the word 'However' as this implies a barrier to restoration. The new sentence should read: 'Major restoration work is required in order to return...'

Paragraph 4.8.14

a) Newtown and Llanllwchaïarn Town Council is of the view that mention of the analysis Liverpool University should be removed as it is not referenced, nor is this claim supported by other restoration experience where benefits are shown to be wider (for example reference 'The Economic Impact of the Restoration of the Kennet and Avon Canal' Final Report to British Waterways, ECOTEC Research & Consulting)

b) Newtown and Llanllwchaïarn Town council is of the view that all citations should be properly referenced using Harvard Referencing.

Council Response:

0

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Question: 2 Changes needed to the Focussed Change

Representation Texts:

Paragraph 4.8.12

a) The paragraph should be amended to state the names of both ends of the canal, and include the words 'from Newtown'. The new sentenmce should read: '...over its entire length from Newtown to Frankton Locks...'

b) The paragraph should not include the word 'However' as this implies a barrier to restoration. The new sentatnec should read: 'Major restoration work is required in order to return...'

Paragraph 4.8.14

a) Mention of the analysis Liverpool University should be removed as it is not referenced, nor is this claim supported by other restoration experience where benefits are shown to be wider (for example reference 'The Economic Impact of the Restoration of the Kennet and Avon Canal' Final Report to British Waterways, ECOTEC Research & Consulting)

b) All citations should be properly referenced using Harvard Referencing.

Council Response:

0

Question: 4 Summary of Representation

Representation Texts:

Request amendments to Policy TD3 to inclu de reference to both ends of the canal and ensure all citations are referenced using the Harvard referencing.

Council Response:

0

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

439.F4/TD3 08/03/2016 Summary: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Email

Type: Objection

Mode Written

Status Maintained

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

5704 Glandwr Cymru - Canal & River Trust in Wales

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5704.F6/TD3 11/03/2016 Summary: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.55

Policy: TD3

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question Representation Texts

Question: Council Response

Representation Texts: This representation is noted. The Council is committed to the sensitive restoration of the canal but does not agree with the proposed rewording of the second paragraph of Policy TD3 or that further changes are required to Policy TD3 to make the Plan sound.

The Focussed Change recognises the international statutory designation of the canal and as a competent authority the local planning authority has a duty to comply with the requirements of the Conservation of Habitats and Species regulations 2010 (as amended). The Focussed Changes have had an overall positive impact upon the soundness of the Plan including placing greater emphasis on the need to satisfy the requirements of the Habitats Directive, whilst still enabling both the sensitive restoration of the canal and appropriate development in close proximity to it.

Council Response:

0

Question: 1 Representation Details

Representation Texts: The proposed change introduces reference to the canals scientific and conservation designations, stating that proposals for development that would adversely affect these designations will be opposed. The proposed change however deletes reference to the wider role of the canal.

Glandwr Cymru has no objection to the proposed introduction of reference to these designations but fails to understand why reference to the wider role of the canal has been deleted. Glandwr Cymru does not consider that the proposed deletion of the role of the canal is appropriate or strictly necessary and is not consistent with the Welsh Governments LDP Manual 2015 which advises that changes after deposit should be avoided wherever possible unless necessary to ensure the plan is sound or in the context of any sudden or major change in local circumstances or new national policy.

Glandwr Cymru objects to this proposed change to Policy TD3. It considers that the proposed change would make the policy protection too focussed on the canals environmental value and would fail to protect the canal from other developments which may impact on its wider role, such as any exiting or future operational use, structural integrity or tourism and recreational use. Such an approach is also inconsistent with the content of the supporting text to the policy which makes wider reference to the canal, recognising its multifunctional role and potential to deliver economic benefits.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5704.F6//TD3 11/03/2016 Summary: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Objection Mode Oral (Examination) Status Maintained

Question: 2 Changes needed to the Focussed Change

Representation Texts: Glandwr Cymru considers that the second paragraph to Policy TD3 should be amended to read "Proposals for development that would adversely affect the role of the canal, its environmental or heritage designations, or prejudice its sensitive restoration will be opposed."

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: Glandwr Cymru wishes to discuss the above recommended changes and their importance to the future of the Montgomery Canal in Powys.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6235 CPRW Brecon & Radnor and Montgomery

Agent: **CPRW Brecon & Radnor**

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6235.F24/TD3 11/03/2016 Summary: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.55

Policy: TD3

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question Representation Texts

Question: Council Response

Representation Texts: The support for the Focussed Change to Policy TD3 (FC38) is noted. However, other tourism assets and their protection including National trails, Bridlepaths, rights of way and the cycle network referred to in the representation are listed in Strategic Policy SP2 and FC37 safeguards the enjoyment and setting of the asset, therefore specific reference to, for example, individual trails is not considered to be necessary. Within the wider context of the Plan as a whole, Policy TD3 is a policy enabling sensitive restoration of the Canal and appropriate canal-related development taking due regard to the international statutory designation as a Special Area of Conservation. Therefore no further changes are considered necessary to ensure that the Plan is sound.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Support:
We welcome acknowledgement of the environmental sensitivity of the Canal and importance of protection.

Objection:
FC38 was designed to 'balance policy and emphasis on Montgomery Canal with other tourism assets across the country'. FC38 still fails to introduce the outstanding resource of the extensive Public Rights of Way network in Powys which is the largest in the UK. While the Montgomery Canal is a prime tourism asset, whose main attraction is to walkers and cyclists (local and visiting), National and Regional Trails and National Rides are of equal (if not more) importance to Powys as a whole. This is a serious omission. The contribution of walking and riding to the Powys economy is considerable and increasing. National and Regional Trails and National Rides are all particularly attractive to UK and overseas visitors given the outstanding nature of the countryside, standard of signposting, facilities and mapping.

¹The Economic Impact of Walking and Hill Walking in Wales (2011) Bryan, Jones, Munday,Roche at the Welsh Economic Research Unit, University of Cardiff

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Section on Tourist Assets to include specific reference to the two National Trails (Offa's Dyke and Glydwr's Way), Promoted Regional Trails, National Rides and National Cycle Network Routes 8, 81 & 825. The LDP should provide for enhancing these assets and protecting them from obtrusive and unacceptable proximate development which detracts over a significant distance from the quality, enjoyment and / or safety of the walking, cycling or horse-riding experience . This should link to the Powys RoW Improvement Plan.

Council Response: 0

Question: 3 Reason for request to speak at hearing

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F24/TD3 11/03/2016 Summary: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Objection Mode Oral (Examination) Status Maintained

Representation Texts: The urgent need to protect our intrinsic rural tourism assets through the LDP and planning balance.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Objecting to FC38 for Policy TD3 (Montgomery Canal) because it fails to adequately promote the Public Rights of Way network as a tourism asset.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6256 Montgomery Waterway Restoration Trust

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6256.F3/TD3 10/03/2016 Summary: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.55

Policy: TD3

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question Representation Texts

Question: Council Response

Representation Texts: Para 4.8.12: The Council disagrees with the representation. The Council is committed to the sensitive restoration of the canal and associated developments as indicated by the inclusion of Policy TD3. Policy TD3 is an enabling policy which seeks to support the sensitive restoration of the canal and appropriate associated development. As a competent authority the local planning authority has a duty to comply with the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended) ensuring that the development is appropriate and considers the conservation objectives of the SAC designation.

Para 4.8.14: This representation is noted. In response to additional evidence received the Council has identified the need to distinguish restoration of the canal from any proposed canalside development. The Council therefore proposes the following text revision to para. 4.8.14 for consideration by the Planning Inspector as a Matters Arising Change:

"4.8.14 Appropriate canal-related developments are uses that can demonstrate that they are associated with, and justify locations in close proximity to the canal. Such developments would be supported provided discussions with potential applicants/developers and the Council/National Conservation Body are undertaken at the earliest opportunity to ensure that there is no adverse impact on the designated site. Examples include:

- Moorings
- Boat Services and facilities
- Canal side visitor services and accommodation

Proposals of this kind will be supported in line with Policies SP2 and TD1 and the appropriate DM policies provided they do not impact adversely on the statutory designations, local settings or canal heritage."

Para 4.8.15: The Council disagree with this representation. Para. 4.8.15 was deleted in response to representation made earlier in the process to redress the balance of policy and reflects wider objectives and policies elsewhere in the Plan which already consider economic and social benefits. Development proposals must accord with the appropriate national and Plan policies and therefore the Council does not consider that further changes are necessary.

Council Response:

0

Question: 1 Representation Details

Representation Texts: Para 4.8.

FC38: Policy TD3 - Montgomery Canal

4.8.12: Objection: We strongly object to the removal of the sentence "The Council therefore wishes to see the restoration of the canal to form a navigable waterway throughout its length and would oppose any proposals that would obstruct its sensitive restoration". As a member of the Montgomery Canal Partnership the Council was party to the drawing up of the Conservation Management Strategy (noted, but not supported, in 4.8.13). The partnership

by: Representation No

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Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Status	Modified	Summary
6256.F3//TD3		10/03/2016	<input type="checkbox"/>			Summary: Policy TD3 – Montgomery Canal and Associated Development - FC38
Source:		Type:	Objection	Mode:	Oral (Examination)	Status: Maintained

has worked worked for over ten years to implement the Strategy: the deleted sentence should be reinstated to carry the Council's commitment forward.

Successive reports by the Inland Waterways Advisory Council (now no more) reviewed canal projects across England and Wales and always rated the Montgomery Canal as a canal restoration of national importance. Welshpool Town Council has a policy actively to support the re-opening of the Canal and to support canal uses including boat trips and canal side uses: Powys County Council should do no less.

4.8.14: Object to both changes in opening paragraph: Restoration will lead to significant local economic benefits. The report Water Adds Value based on research by the University of Northampton concluded that the impact of waterway restorations is almost always in excess of that which was anticipated and planned for. However the best way to ensure those benefits is to bring the canal alive with boats, attracting boaters (who spend more than day visitors because they don't go home at the end of the day), and creating a lively scene attractive to residents and visitors.

(2 photos enclosed in original ref form)

And object to removal of explanatory text in the sub-paragraphs: moorings, boat services and facilities are not only necessary, but essential. Canalside pubs, restaurants, tearooms and visitor services are also essential features of an attractive canal which is an asset for visitors and the local community.

4.8.15: Object to deletion: for the reasons given above. Canal-related developments can indeed bring benefits (LDP Deposit Draft 2.2.9: 'Tourism is a key sector in Powys and further tourism development has the potential to support local communities and rural holdings both in economic and social terms.'). They should of course accord with the objectives of the Conservation Management Strategy.

Supporting information: Rep accompanied by a letter on headed paper, signed by Chairman of the Trust - letter included the rep points noted on the rep form plus further comment: "The Montgomery Waterway Restoration Trust is a member of the Montgomery Canal Partnership, as is Powys County Council. For the best part of five years both were involved with other public authorities, statutory agencies and voluntary groups, on both sides of the border, in the preparation of the Conservation Management Strategy. The Strategy strikes a careful balance of restoration and conservation, respecting the built and natural heritage of the canal. We understand that changes to the deposited LDP should only be proposed where necessary to ensure the soundness of the finished LDP or to cope with a sudden or major change in local circumstances or new national policy. The Schedule, however, seems to go beyond this, with significant changes affecting the Montgomery Canal and its restoration as a navigable waterway. The amended LDP seems to deny Powys the full benefit of the restored Montgomery Canal as a multifunctional resource drawing visitors and residents to a lively canal scene (particularly enhancing the centre of Welshpool), to the use of the towpath and to an appreciation of the canal's special natural and built heritage".

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Restore deleted text.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: It is important to emphasise the long-standing commitment of volunteers from across the country who have worked to restore navigation to the Montgomery Canal in Powys and Shropshire, the significant contribution

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6256.F3//TD3 10/03/2016 Summary: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Objection Mode Oral (Examination) Status Maintained

made in the past by local authorities on both sides of the border, the national importance of the restoration, the publicity that the canal and (largely volunteer-led) events on the canal bring to the district, and the importance of the County Council continuing to play its full part in supporting the Montgomery Canal Partnership to achieve the widest benefits from the restoration of the Montgomery Canal.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Change/Restore Policy Wording.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6315 Natural Resources Wales

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6315.F8/TD3 11/03/2016 Summary: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Email Type: Comment Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.55

Policy: TD3

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question Representation Texts

Question: Council Response

Representation Texts: Your comments are noted. The Council propose a modification in light of additional evidence to distinguish between restoration of the canal and canal-side developments and proposes the addition of the following for consideration by the Planning Inspector as a matters Arising Change:

"4.8.14 Appropriate canal-related developments are uses that can demonstrate that they are associated with , and justify locations in close proximity to the canal, and would be supported provided discussions with potential applicants/developers and the Council/National Conservation Body are undertaken at the earliest opportunity to ensure that there is no adverse impact on the designated site and meet appropriate Development Management policies. Examples include:

- Moorings
- Boat Services
- Canal side visitor services and accommodation

Proposals of this kind will be supported in line with policies SP2 and TD1 provided they do not impact adversely on the statutory designations, local settings or canal heritage.

Council Response:

0

Question: 1 Representation Details

Representation Texts: Focussed Change FC38 - Policy TD3 – Montgomery Canal and Associated Development As per our comments on the Deposit Plan we would welcome discussions with potential applicants/developers and the Local Authority at the earliest opportunity when development proposals for the canal and any associated development are being designed/taken forward.

The canal supports a nationally important aquatic ecology and, as a result, the whole of the Montgomery Canal in Wales is a SSSI. In respect of the internationally important populations of floating water plantain (a water plant), the Montgomery Canal in Wales is also a Special Area of Conservation (SAC). It also benefits from many important and uniquely preserved structures and buildings, a number of which have listed building status. To comply with the requirements of the Conservation of Habitat and Species Regulations 2010 as amended, a Habitat Regulations Assessment of development proposals will be required to be undertaken to ensure there is no adverse effect on the integrity of the SAC.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6402 Montgomery Canal Partnership

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6402.F3/TD3 11/03/2016 Summary: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.56

Policy: TD3

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question Representation Texts

Question: Council Response

Representation Texts: The Council is committed to the sensitive restoration of the canal but does not consider further changes are required to policy TD3 to make the Plan sound. The Focussed Change recognises the international statutory designation of the canal and as a competent authority the local planning authority has a duty to comply with the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended). The Focussed Changes have had an overall positive impact upon the soundness of the Plan including placing greater emphasis on the need to satisfy the requirements of the Habitats Directive.

Para. 4.8.10 The Council disagree with this comment. This paragraph was deleted in order to balance policy and emphasis with other tourism assets in response to earlier representations. Reference to the full length of the Canal is made in Para 4.8.12 in response to earlier representations. No further changes are considered necessary.

Para. 4.8.12 The Council disagree with this comment. This paragraph was altered in response to representation made earlier in the process. Further changes are not considered necessary.

Para 4.8.14: This representation is noted. In response to additional evidence received the Council has identified the need to distinguish restoration of the canal from any proposed canalside development. The Council therefore proposes the following text revision to para. 4.8.14 for consideration by the Planning Inspector as a Matters Arising Change:

"4.8.14 Appropriate canal-related developments are uses that can demonstrate that they are associated with, and justify locations in close proximity to the canal. Such developments would be supported provided discussions with potential applicants/developers and the Council/National Conservation Body are undertaken at the earliest opportunity to ensure that there is no adverse impact on the designated site. Examples may include:

- Moorings
- Boat Services and facilities
- Canal side visitor services and accommodation

Proposals of this kind will be supported in line with Policies SP2 and TD1 and the appropriate DM policies provided they do not impact adversely on the statutory designations, local settings or canal heritage."

Para 4.8.15: The Council disagree with this representation. Para. 4.8.15 was deleted in response to representation made earlier in the process to redress the balance of policy and reflects wider objectives and policies elsewhere in the Plan which already consider economic and social benefits. Development proposals must accord with the appropriate national and Plan policies and therefore the Council does not consider that further changes are necessary.

Council Response:

0

Question: 1 Representation Details

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6402.F3//TD3 11/03/2016 Summary: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Objection Mode Oral (Examination) Status Maintained

Representation Texts:

4.FC38

The proposed deletions in TD3 are unacceptable and the original words should be retained. The changes would enable objections to be raised to anything which adversely affected the Canal's scientific and conservation designations. This would undermine the conclusions reached in the 2005 CMS (see note at the end) and risk unwinding the compromises to which the parties agreed. The proposed words ignore the multi-purposes uses of the Canal.

The deletion of paragraph 4.8.10 is undesirable as it would mean omitting part of the background to the underlying policy.

The suggested changes to paragraph 4.8.11 are acceptable, the second one on the basis that it re-appears in paragraph 4.8.12.

The deletion in paragraph 4.8.12 of "as a multi-user route" is unacceptable and goes to the heart of what is wrong with all these changes. The other changes in this paragraph are acceptable with the important exception of "The Council therefore wishes to see the restoration of the canal to form a navigable waterway throughout its length and would oppose any proposals that would obstruct its sensitive restoration". These words need re-instating as the implication of the removal is that the Council would not be in favour of restoration of a navigable waterway. The Council has been committed to restoration as a navigable waterway (subject to observing SAC requirements) through its agreement of the CMS and there have been no suggestions of a policy change on this topic.

The deleted words at the start of paragraph 4.8.14 should not be deleted as canal related developments (sensitively designed) are needed to obtain local economic benefits. The deletions relating to the given examples are unwelcome as the original words added flesh to the examples.

The reference to an analysis by Liverpool University and the comments derived from it about day visitors should be removed. We are aware of two studies by Liverpool University about the Canal. One was carried out before 2005 and studied the effect of boat movements on water plants; it did not consider economic effects. The other was a brief project carried out in 2015 by a group of planning students (i.e. with no special economic knowledge) whose knowledge of the Canal was slight; the main thrust of their project was to look at how to connect up various communities within Welshpool though the use of pathways, including the Canal towpath. This project was not a proper analysis by an economics department of the University. Moreover, given the significant difference in spending levels between groups on a boat (visiting restaurants and shops and pubs etc) and people on a day visit to the canal alone (spending perhaps nothing and by definition not staying into the evening and spending money in restaurants), it is hard to accept what is reported as being their contention. Unfortunately, as the proposed changes give no information about the alleged analysis (an omission we find surprising), we are unable to assist the Council further on this aspect.

It is difficult to understand why the deletion of paragraph 4.8.15 has been suggested. No reason seems to have been given. The first sentence is true, as is the later reference to the need for development to be sensitively carried out

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts:

Requested changes.

TD3 should remain as previously drafted.

Paragraph 4.8.10 should be re-instated.

The reference to "as a multi-user route" should be re-instated in paragraph 4.8.12 (first line).

The words "The Council therefore wishes to see the restoration of the canal to form a navigable waterway throughout its length and would oppose any proposals that would obstruct its sensitive restoration" should be re-instated towards the end of paragraph 4.8.12.

The deleted first two lines of paragraph 4.8.14 should be re-instated.

The new 3rd and 4th lines of paragraph 4.8.14 about the alleged Liverpool University analysis should be removed.

The details about the examples in paragraph 4.8.14 should be re-instated

The deleted paragraph 4.8.15 should be re-instated.

Council Response:

0

Question: 3 Reason for request to speak at hearing

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6402.F3/TD3 11/03/2016 Summary: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Objection Mode Oral (Examination) Status Maintained

Representation Texts: About
 1.the adverse effect of the proposed changes about the Montgomery Canal, apparently downgrading it from a multi –purpose waterway to one specialising only in scientific and conservation matters.
 2.The proposed changes would be contrary to the 2005 Conservation Management Strategy agreed by the Montgomery Canal Partnership, membership of which includes Powys County Council
 3.The significant number of changes being proposed at this stage of the process

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Disagrees with changes made to the Draft Deposit and wants the original text re-instated.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6414 Heulwen Trust

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6414.F2/TD3 08/03/2016 Summary: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Comment Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.55

Policy: TD3

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question *Representation Texts*

Question: Council Response

Representation Texts:

Para. 4.8.10 The Council disagree with this comment. This paragraph was deleted in order to balance policy and emphasis with other tourism assets in response to earlier representations. Reference to the full length of the Canal is made in Para 4.8.12 in response to earlier representations. No further changes are considered necessary.

Para 4.8.12 The Council disagrees with the representation. The Council is committed to the sensitive restoration of the canal and associated developments as indicated by the inclusion of Policy TD3. Policy TD3 is an enabling policy which seeks to support the restoration of the canal and appropriate associated development. As a competent authority the local planning authority has a duty to comply with the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended) ensuring that development is appropriate and considers the conservation objectives of the SAC designation.

Para 4.8.14: This representation is noted. In response to additional evidence received the Council has identified the need to distinguish restoration of the canal from any proposed canalside development. The Council therefore proposes the following text revision to para. 4.8.14 for consideration by the Planning Inspector as a Matters Arising Change:

"4.8.14 Appropriate canal-related developments are uses that can demonstrate that they are associated with, and justify locations in close proximity to the canal. Such developments would be supported provided discussions with potential applicants/developers and the Council/National Conservation Body are undertaken at the earliest opportunity to ensure that there is no adverse impact on the designated site. Examples may include:

- Moorings
- Boat Services and facilities
- Canal side visitor services and accommodation

Proposals of this kind will be supported in line with Policies SP2 and TD1 and appropriate DM policies provided they do not impact adversely on the statutory designations, local settings or canal heritage."

Para 4.8.15: The Council disagree with this representation. Para. 4.8.15 was deleted in response to representation made earlier in the process to redress the balance of policy and reflects wider objectives and policies elsewhere in the Plan which already consider economic and social benefits. Development proposals must accord with the appropriate national and Plan policies and therefore the Council does not consider that further changes are necessary.

Council Response:

0

Question: 1 Representation Details

Representation Texts:

FC38 —Tourist Destination Policy.
Comment

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6414.F2//TD3 08/03/2016 Summary: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Comment Mode Written Status Maintained

The Trust considers TD3 in its original form to be essential, sound, necessary and appropriate to the unique requirements for sensitive restoration of the entire length of the canal. It does not consider the Representation of the Knighton & District Tourist Group to be sufficient grounds for withdrawing the protection afforded to the canal by TD3.

It opposes deletion of 4.8.10 as restoration of the full length of the canal to Newtown has been established as Powys County Council policy.

The importance of sensitively developed facilities as per the examples in 4.8.14 are essential for the viability of canal navigation and thereby for the development of tourism and the economic benefits for the area which will follow.

The Trust places little reliance upon an analysis reached presumably by a recent part time course study by Chinese students at Liverpool University (4.8.14) that the overall economic value of day visitors has a higher value than that which will be derived from all associated sources when full navigation is resumed. It has been shown that the viability of a short length of canal is questionable (Montgomery Canal Partnership Conservation Management Strategy (3.4.9). Viable Economic benefit from day visitors will only be achieved following further substantial sensitive restoration extending to presently non navigable SAC channels.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Retain former TD3 particularly reinstating:

(1) the following sentence in 4.8.12 'The Council wishes to see the restoration of the canal to form a navigable waterway throughout its length and would oppose any proposals that would obstruct its sensitive restoration'

(2) the opening sentence of 4.8.14

(3) the examples of canal-related developments listed in 4.8.14

(4) 4.8.15

Delete reference to the economic value of day visitors from 4.8.14.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: The original wording of TD3 in the Draft Deposit LDP should be re-instated.

Council Response: 0

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6415 Swansea Canal Society

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6415.F1/TD3 10/03/2016 Summary: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Not duly made Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.55

Policy: TD3

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question *Representation Texts*

Question: Council Response

Representation Texts: This representation is not duly made as it does not refer to a specific Focussed Change. However, the Council notes the comments and remains committed to the sensitive restoration and sustainable development and management of the canal. Policy TD3 is an enabling policy which seeks to support the sensitive restoration of the canal and appropriate development but as a competent authority the local planning authority has a duty to comply with the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended) ensuring that the integrity of the SAC is not compromised.

The Focussed Changes have had an overall positive impact upon the soundness of the Plan including placing greater emphasis on the need to satisfy the requirements of the Habitats Directive.

Council Response:

0

Question: 1 Representation Details

Representation Texts:

Swansea Canal Society fully supports the Representation from the Montgomery Waterway Restoration Trust that full navigability and boats on the canal should be explicitly included in the wording of the LDP. Although you quite rightly state that the measurable economic benefit will come mainly from day visitors it should be borne in mind that a canal is infinitely more attractive to such visitors if there are boats to be seen, preferably moving.

Swansea Canal Society exists to support the history, maintenance and restoration of the swansea canal and as such co-operates with all other canal organisations. The society currently has over 100 members and this representation has been authorised by the trustees. I am submitting it on society's behalf as a trustee and treasurer to the society.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Not applicable

Council Response:

0

Question: 4 Summary of Representation

Representation Texts: Explicitly include "full navigability and boats on the canal" in the wording of the LDP.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6415.F1//TD3 10/03/2016 Summary: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Not duly made Mode Written Status Maintained

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6420 Shropshire Union Canal Society

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6420.F1/TD3 11/03/2016 Summary: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Not duly made Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.56

Policy: TD3

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question Representation Texts

Question: Council Response

Representation Texts: This representation is not duly made as it does not refer to a specific focussed change. However, the Council notes the comments and remains committed to the sensitive restoration and sustainable management of the canal. Policy TD3 is an enabling policy which clearly seeks to support the sensitive restoration of the canal and associated development but as a competent authority the local planning authority has a duty to comply with the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended) ensuring that the integrity of the SAC is not damaged.

Council Response: 0

Question: 1 Representation Details

Representation Texts: The paragraphs, as mentioned above, appear to represent a unilateral decision to alter the agreement between Powys County Council and the numerous other organisation's involved, as contained in the 2005 Montgomery Canal Partnership "Conservation Management Strategy" which laid out in agreed detail how the management of the Montgomery Canal would be progressed. Consequently they appear to attempt to negate the previously agreed strategy between Powys CC and the organisation's signed up to the CMS.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: The amendments attempt to negate the previously agreed strategy between Powys CC and the organisation's signed up to the CMS.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.88 Justification: Policy TD3 – Montgomery Canal and Associated Development - FC38

5704 Glandwr Cymru - Canal & River Trust in Wales

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5704.F7 11/03/2016 Summary: Justification: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Comment Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.56

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question Representation Texts

Question: Council Response

Representation Texts: Para. 4.8.10 The Council disagree with this comment. This paragraph was deleted in order to balance policy and emphasis with other tourism assets in response to earlier representations. Reference to the full length of the Canal is made in Para 4.8.12 in response to earlier representations. No further changes are considered necessary.

Council Response: 0

Question: 1 Representation Details

Representation Texts: para 4.8.10

Glandwr Cymru does not consider that the proposed deletion of paragraph 4.8.10 s strictly necessary and as such is not consistent with the Welsh Governments LDP Manual 2015 which advises that changes after deposit should be avoided wherever possible unless necessary to ensure the plan is sound or in the context of any sudden or major change in local circumstances or new national policy.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Retain paragraph 4.8.10

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: Glandwr Cymru wishes to discuss the above recommended changes and their importance to the future of the Montgomery Canal in Powys.

Council Response: 0

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5704.F8 11/03/2016 Summary: Justification: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Comment Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.56

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question Representation Texts

Question: Council Response

Representation Texts: Your comment is noted. The Focussed Change was proposed to separate SAC designation from other types of designations. The Council do not envisage any additional changes.

Council Response: 0

Question: 1 Representation Details

Representation Texts: 4.8.11

Glandwr Cymru makes no comment on the proposed rewording of paragraph 4.8.11 provided that the proposed reference to important and listed structures and buildings in paragraph 4.8.12, replacing that deleted in paragraph 4.8.11 is retained.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: n/a

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: n/a

Council Response: 0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5704.F9 11/03/2016 Summary: Justification: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.56

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Status	Modified	Summary	
5704.F9		11/03/2016	<input type="checkbox"/>			Summary: Justification: Policy TD3 – Montgomery Canal and Associated Development - FC38	
Source:		Type:	Objection	Mode:	Oral (Examination)	Status:	Maintained

Question *Representation Texts*

Question: **Council Response**

Representation Texts: Policy TD3 is an enabling policy which supports the sensitive restoration of the canal and its inclusion continues the Council's commitment. The Council disagrees that the penultimate sentence of para. 4.8.12 needs to be reinstated to make the Plan sound. However, in response to the representation made, the Council will propose to the Planning Inspector the following wording as a minor Matters Arising Change:

".....Llangollen Canal in Shropshire. Any proposals that would obstruct its sensitive restoration would be opposed. The LDP Proposals Map identifies the line of the Canal as a safeguarded route as protected by Strategic Policy SP2 - Safeguarding of Material Assets"

Council Response: 0

Question: 1 **Representation Details**

Representation Texts: 4.8.12

Glandwr Cymru objects to the proposed deletion of the penultimate sentence of paragraph 4.8.12. The paragraph expands upon the stated intent of the policy to support proposal which support the restoration of the Montgomery Canal and oppose development which would adversely affect the sensitive restoration of the canal. The proposed deletion is neither necessary to ensure the plan is sound or in the context of any sudden or major change in local circumstances or new national policy

In light of the introduction of new Policy SP2 Glandwr Cymru consider that the final sentence of paragraph 4.8.12 could usefully be amended to cross reference with the new policy as follows:
The LDP Proposals Map identifies the line of the canal as a safeguarded route as protected by Strategic Policy SP2 - Safeguarding of Material Assets".

Council Response: 0

Question: 2 **Changes needed to the Focussed Change**

Representation Texts: Retain penultimate sentence of paragraph 4.8.12

Amend final sentence of paragraph 4.8.12 to cross reference with proposed new policy SP2 as follows:

"The LDP Proposals Map identifies the line of the canal as a safeguarded route as protected by Strategic Policy SP2 - Safeguarding of Material Assets"

Council Response: 0

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Consultation Report Appendix 4: FC Representations & Council Responses

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5704.F9 11/03/2016 Summary: Justification: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Objection Mode Oral (Examination) Status Maintained

Question: 3 Reason for request to speak at hearing

Representation Texts: Glandwr Cymru wishes to discuss the above recommended changes and their importance to the future of the Montgomery Canal in Powys.

Council Response: 0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5704.F10 11/03/2016 Summary: Justification: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.56

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

Question Representation Texts

Question: Council Response

Representation Texts: Para 4.8.14: This representation is noted. In response to additional evidence received the Council has identified the need to distinguish restoration of the canal from any proposed canalside development. The Council therefore proposes the following text revision to para. 4.8.14 for consideration by the Planning Inspector as a Matters Arising Change:

"4.8.14 Appropriate canal-related developments are uses that can demonstrate that they are associated with, and justify locations in close proximity to the canal. Such developments would be supported provided discussions with potential applicants/developers and the Council/National Conservation Body are undertaken at the earliest opportunity to ensure that there is no adverse impact on the designated site.

Examples may include:

Moorings

Boat Services and facilities

Canal side visitor services and accommodation

Proposals of this kind will be supported in line with Policies SP2 and TD1 and the appropriate DM policies provided they do not impact adversely on the statutory designations, local settings or canal heritage."

Council Response: 0

Question: 1 Representation Details

Representation Texts: 4.8.14

It is stated that the proposed rewording of paragraph 4.18.14 is intended to "ensure clarity with regards the Canal's environmental status, and the importance of day visitors compared to

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5704.F10 11/03/2016 Summary: Justification: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Objection Mode Oral (Examination) Status Maintained

navigation for the long term protection of the Environmental designations”

The meaning of the proposed wording as written is unclear. The justification behind this statement is also unclear and potentially inaccurate and Glandwr Cymru is disappointed that Powys Council has not engaged with it prior to making such changes. It is considered that there are many different aspects of the canal and its variety of functions which have the potential to contribute to the local economy and this should be recognised in the supporting text.

The proposed change is also not considered to be consistent with the Welsh Governments LDP Manual 2015 as unnecessary to ensure the plan is sound or in the context of any sudden or major change in local circumstances or new national policy.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: A revised wrong (wording?) to simplify and clarify the point being made could be:

“Restoration of the canal, day visitors and associated canal related developments have the potential to make a significant contribution to the local economy. Appropriate”

Council Response:

0

Question: 3 Reason for request to speak at hearing

Representation Texts: Glandwr Cymru wishes to discuss the above recommended changes and their importance to the future of the Montgomery Canal in Powys.

Council Response:

0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5704.F11 11/03/2016 Summary: Justification: Policy TD3 – Montgomery Canal and Associated Development - FC38

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.56

Issue: 2015: Deposit Draft-07.Employment, Retail and Tourism

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Consultation Report Appendix 4: FC Representations & Council Responses

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Status	Modified	Summary
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5704.F11		11/03/2016	<input type="checkbox"/>			Summary: Justification: Policy TD3 – Montgomery Canal and Associated Development - FC38
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Source:	Type: Objection	Mode: Oral (Examination)	Status: Maintained
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Question	Representation Texts
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Question:	Council Response
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Representation Texts:	Para 4.8.15: The Council disagree with this representation. Para. 4.8.15 was deleted in response to representation made earlier in the process to redress the balance of policy and reflects wider objectives and policies elsewhere in the Plan which already consider economic and social benefits. Development proposals must accord with the appropriate national and Plan policies and therefore the Council does not consider that further changes are necessary.
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Council Response:	0
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Question: 1	Representation Details
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Representation Texts:	Glandwr Cymru does not consider deletion of paragraph 4.8.15 to be appropriate or necessary and can see no reasonable justification provided for such an amendment.
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Council Response:	0
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Question: 2	Changes needed to the Focussed Change
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Representation Texts:	Reinstate Paragraph 4.8.15
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Council Response:	0
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Question: 3	Reason for request to speak at hearing
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Representation Texts:	Glandwr Cymru wishes to discuss the above recommended changes and their importance to the future of the Montgomery Canal in Powys.
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Council Response:	0
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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.89 Policy W1 – Waste - FC39

6235 CPRW Brecon & Radnor and Montgomery

Agent: **CPRW Brecon & Radnor**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F25/W1 11/03/2016 Summary: Policy W1 – Waste - FC39 Objection, needs more detail re Anaerobic Digestion

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Policy: W1

Issue: 2015: Deposit Draft-08.Minerals, Waste and Renewable Energy

Question Representation Texts

Question: Council Response

Representation Texts: The council disagrees with this Representation. The policy already states that any AD developments will need to use biodegradable waste, and from an existing agricultural use . Any specific development would also have to meet the appropriate DM Policies.

Council Response: 0

Question: 1 Representation Details

Representation Texts: We note the inclusion of anaerobic digestion in 2.3 [3.]and qualification in 7.9.7a [4.9.7a] that this must have 'no adverse impact upon the landscape, the natural environment or the amenity and health of the local population'. In the case of anaerobic digestion it should be made clear that this also applies to the import and export of materials to ensure that:

1. the project is not encouraging practices which have such adverse impacts – for example destruction of woodland, trees or hedges or growing crops which degrade soils.
2. import and export of materials does not create unacceptable traffic, odour or vermin problems.
3. disposal or spreading of the digestate will have none of the adverse impacts listed, which must be fully described by applicants.

The respective responsibilities of NRW and PCC in assessing applications and ensuring compliance with policy, planning conditions and environmental law and regulations should be clearly set out so they can be understood by the public.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: After "waste development" in 4.9.7a, insert 'including:- 1.provision of materials for digestion, 2.import of materials and export of produce, 3.further use, disposal or agricultural spreading of products of the development'. Set out the respective responsibilities of NRW and PCC in assessing applications and ensuring compliance with policy, planning conditions and environmental law and regulations.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F25/W1 11/03/2016 Summary: Policy W1 – Waste - FC39 Objection, needs more detail re Anaerobic Digestion

Source: Type: Objection Mode Oral (Examination) Status Maintained

Representation Texts: Evidence that such protection is urgently required.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Seeks to add detail regarding provision for Anaerobic Digestion within Policy W1 - Waste, FC39

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.91 Policy RE1 - Renewable Energy - FC40

4640 Powys Ramblers

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

4640.F1//RE1 03/03/2016 Summary: Policy RE1 - Renewable Energy - FC40

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Policy: RE1

Issue: 2015: Deposit Draft-08.Minerals, Waste and Renewable Energy

Question Representation Texts

Question: Council Response

Representation Texts: Your comments are noted. However, following representations on the Schedule of Focussed Changes including those made by Welsh Government and recent legislative changes, the Council is undertaking a review of the current renewable energy evidence which will also consider other low carbon technologies (solar). Any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Policy RE1 is out of date, incomplete and ambiguous, and it does not deal adequately with the proliferation of single wind turbines across the county.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Objections

- 1.Powys Ramblers Area Council generally supports Policy RE1(1) on large scale wind energy developments, subject to paragraph 2 below. Where energy benefits outweigh landscape harm, we favour the principle of concentrating wind farms in Strategic Search Areas rather than allowing proliferation. We also support the important cross-reference to landscape impact under Policy DM3.
- 2.In other important respects, however, RE1 is unsound. Under the Planning (Wales) Act 2015, developments between 10 and 50 MW will in future be determined by Welsh ministers as Developments of National Significance. Ministers will have regard to national policies in Wales as well as the Local Development Plan. The threshold of 25MW is therefore inappropriate. There also appears to be uncertainty as to whether Welsh ministers will determine proposals of up to 350 MW. Policy RE1 should be brought up-to-date and amended accordingly.
- 3.As Policy RE1(2) refers to wind turbine proposals of less than 5MW, the policy has nothing to say about developments between 5 and 25MW. This is highly unsatisfactory. It would be logical, in the light of the 2015 Act, for RE(1) to deal with schemes over 10MW and for RE1(2) to cover schemes of less than 10MW. This would have the added benefit of concentrating medium scale wind farms of 10 to 25MW in SSAs, subject again to landscape impact under Policy DM3.
- 4.We have further concerns about Policy RE1(2). The reference to 'community-based' wind turbine proposals is ambiguous and open to interpretation. It might be taken to limit its scope to proposals by community groups, when in reality most are made by companies or landowners. We are particularly anxious about the proliferation of single wind turbines across Powys in the last few years. They are usually sited on hilltops and ridges and can be up to about 45m high, with landscape harm affecting a wide area and not just the

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

4640.F1//RE1 03/03/2016 Summary: Policy RE1 - Renewable Energy - FC40

Source: Email

Type: Objection

Mode Written

Status Maintained

local scale mentioned in RE(2). The words 'community-based' should therefore be deleted and RE1(2) should apply to all wind turbine proposals of less than 10MW, including single turbines. The words 'and that extensive views would not be damaged' should be added after 'local scale'.

5.As it stands, Policy RE1(2) does not refer to Policy DM3. We accept that repeated cross-referencing is unnecessary, but its exclusion from one part of RE(1) when it is mentioned in another appears anomalous. This could be reinforced in Policy RE1(3)a. by inserting the more specific word 'landscape' before 'visual amenity'.

Summary of proposed changes

As it stands, Policy RE1 is unsound. Powys Ramblers seek the following changes:

- oThe policy should be updated to accord with national policy in respect of proposals between 10 and 50MW.

- oPolicy RE1(1) should consequently be amended to cover proposals over 10MW.

- oRE1(2) should be amended by deleting 5MW and inserting 10MW; deleting 'community-based'; inserting 'including single turbines' after '(less than 10MW)'; inserting 'and that extensive views would not be damaged' after 'local scale'; and inserting a cross-reference to Policy DM3.

- oIn RE1(3)a, 'landscape' should be inserted before 'visual amenity'.

Council Response:

0

Question: 4 Summary of Representation

Representation Texts: Does not support FC40. Policy RE1 is not consistent with national policy

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6235 CPRW Brecon & Radnor and Montgomery

Agent: **CPRW Brecon & Radnor**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F26//RE1 11/03/2016 Summary: Policy RE1 - Renewable Energy - FC40 - Objection

Source: Type: Objection Mode Oral (Examination) Status Maintained

Additional material submitted

Document:FC - Schedule of Focussed Changes Jan 2016

Policy: RE1

Issue: 2015: Deposit Draft-08.Minerals, Waste and Renewable Energy

Question Representation Texts

Question: Council Response

Representation Texts: Your comments are noted. The Council disagrees with this Representation. However, following representations on the Schedule of Focussed Changes including those made by Welsh Government and recent legislative changes, the Council is undertaking a review of the current renewable energy evidence which will also consider other low carbon technologies (solar). Any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response:

0

Question: 1 Representation Details

Representation Texts: 1) Policy RE1 2. "Small scale community-based wind turbine proposals (less than 5MW) will be required to demonstrate that impacts are confined to the local scale." CPRW considers the ceiling of 5MW for 'small scale community-based wind turbine proposals' is irrational. It would be quite impossible for any wind turbine development of 5MW to have impacts confined to a local scale. A development of this scale might take the form of 2 or more 100 - 120m wind turbines (visually intrusive well over 10 Km away), or a wind farm of many smaller turbines. The policy is also unclear in failing to set out what constitutes a 'community-based' proposal and CPRW would recommend the following requirements to be applied to qualifying schemes:
 "Community-led schemes have the majority support of the community members living within 1.5km and are
 i. 100% owned and operated by a local community organization, or
 ii. a fully constituted community cooperative regulated by the Financial Services Authority."

2) Policy RE1 3. "All renewable energy or low carbon energy development proposals will be required to demonstrate that:
 a. Measures have been taken to minimise impacts on visual amenity, biodiversity, and the natural and historic environment."
 This weak wording will not offer robust protection against damage to visual amenity, biodiversity, and the natural and historic environment in practice, nor is it consistent with the protection rightly offered for residential amenity and highway safety in 3 b.& 3 c. PPW8 and TAN8 are very clear in specifying that proper environmental protections are required in respect of renewable generation. As it stands this policy is incompatible with national guidance, and incompatible with other DM policies within the LDP. CPRW would also like to see specific mention of landscape in this policy.
 This policy should be reworded (see below).

3) Paragraph 4.10.4 "Policy RE1 sets out criteria against which all proposals for renewable and low carbon energy development, across these four scales, will be assessed." It would be much clearer to readers to replace the remainder of this paragraph with the relevant figure 12.2 from PPW8.
 This paragraph also requires explanation of terms such as 'EFW' and 'CHP', and could usefully set out for the reader what is meant by the term 'sub local authority'.

4) Paragraph 4.10.5.a: This paragraph requires updating to reflect the current situation.

5) Paragraph 4.10.5.b and 4.10.6: CPRW welcomes this clarification.

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6235.F26//RE1 11/03/2016 Summary: Policy RE1 - Renewable Energy - FC40 - Objection

Source: Type: Objection Mode Oral (Examination) Status Maintained

6) Paragraph 4.10.7: Please see CPRW comments on Focussed Change 8 and the retention of targets which CPRW believes are wholly without either policy or evidence support. There is a further internal contradiction within this paragraph in that the targets are stated to be a requirement to ensure that Powys meets its own electricity needs through its own generation:
 "Meeting these targets would help to ensure that by the end of the plan period, and at the very least, irrespective of any further developments within the SSA's, Powys will be generating enough renewable electricity will be produced in the county to offset all that the county uses".
 And yet the REA (dated 2012) states:
 "The total electrical energy that is currently being generated across Powys from renewable and low carbon energy technologies is circa 524 GWh, which equates to circa 86% of the total electrical consumption across Powys in 2008."
 By today's date the figure of electrical generation will have significantly increased, in all likelihood even exceeding consumption, thus entirely removing this rationale for inclusion of targets.
 CPRW is also at a loss to understand what possible justification can explain the inclusion of the phrase "irrespective of any further developments within the SSA's". This fails to recognise the significant detractive impact of large scale wind development within the SSAs and the burden which has already been borne by the residents of Powys.

7) Paragraph 4.10.7: CPRW would welcome a requirement that renewable installations classified as farm diversification are tailored to the requirements of the enterprise. This is particularly important now that UK wide policy is to discourage the further development of onshore wind for import to the national grid.

8) Paragraph 4.10.10: CPRW welcomes the commitment to Supplementary Planning Guidance and would like to be consulted over this.

9) Policy RE1: general comments:
 Appropriate policies for individual technologies
 CPRW believes that the impacts of renewable energy developments are so diverse and so particular to each form of generation that a specific policy is needed for each. Although the LDP has improved greatly since Draft Deposit stage, many potential impacts particular to electricity generation are neglected in the suite of DM policies. Examples are: loss of productive farmland (solar, biomass, anaerobic digesters), shadow flicker (wind), amplitude modulation noise nuisance (wind), loss of peat and dark soils (wind), soil erosion and water run off (solar, wind), soil contamination (wind, solar, anaerobic digesters), water abstraction, ground and surface water implications and habitat impacts (hydro, wind, anaerobic digesters), safe use of highways and rights of way, including consideration of vulnerable users and considerations of topple distance and ice-throw (wind).

For these reasons, CPRW would still recommend a suite of policies addressing the specific issues.

Site decommissioning
 All mention of restoration of sites after a 25 year period is meaningless and unenforceable without the deposit of funds on escrow account. Residents who have suffered negative impacts from wind or other developments should not have to foot the bill for restoration of landscapes. Deposit funds for restoration must be set out in the LDP

Adverse environmental impacts of development in SSAs
 We note the dependence on Advice Note TAN8. There have been rapid industry changes (e.g. tripling of the height of turbines since 2004) and the promised review is now 6 years overdue (we know that this is outside Powys' control).
 We note that TAN8 clearly states that not all the land identified within the SSAs would prove suitable for windfarm development when all material planning considerations had been applied for. Since neither landscape, ecology, access, cultural heritage nor socio-economic factors were considered by Arup in their broad brush designation process, it would add clarity to state that PCC recognises that not all, or indeed any, of the land within SSAs may prove suitable once all material considerations are applied.

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Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6235.F26//RE1 11/03/2016 Summary: Policy RE1 - Renewable Energy - FC40 - Objection

Source: Type: Objection Mode Oral (Examination) Status Maintained

Representation Texts:

- 1) Policy RE1 2.: CPRW believes the 5MW maximum size of a community led scheme is excessive and irrational. It would be more useful to set socio-economic criteria for small scale schemes than to set arbitrary capacities but, if a maximum local-scale installed capacity is required, 2MW would be an improvement. The following criteria are suggested for the term 'community-led proposal'
 - “Community-led schemes have the majority support of the community members living within 1.5km and are
 - iii.100% owned and operated by a local community organization, or
 - iv.a fully constituted community cooperative regulated by the Financial Services Authority.”
- 2) Policy RE1 3a should be reworded to read “There will be no unacceptable impacts on visual amenity, landscape, biodiversity and the natural and historic environment.
- 3) .Paragraph 4.10.4
 “Policy RE1 sets out criteria against which all proposals for renewable and low carbon energy development, across these four scales, will be assessed.”..... the remainder of this paragraph should be replaced with the relevant figure 12.2 from PPW8 as below:

 [table from PPW8 2016 Figure 12.2 p182]

 This paragraph (4.10.4) also requires explanation of terms such as 'EFW' and 'CHP', and could usefully set out for the reader what is meant by the confusing term 'sub local authority'.
- 4) .Paragraph 4.10.5.a: This paragraph requires updating to reflect the current situation.
- 5) Paragraph 4.10.5.b and 4.10.6: Not applicable.
- 6.Paragraph 4.10.7:
 Please see comments on Focussed Change 8
 All mention of targets both within this section (RE1) of the LDP and Objective 5 should be removed to conform to national and UK wide policy and to remove internal contradictions within the LDP itself.
- 7) Paragraph 4.10.7: Insert a requirement that renewable installations classified as farm diversification are tailored to the specific requirements of the enterprise, taking into account any pre-existing source of renewable generation.
- 8) Paragraph 4.10.10: Not applicable
- 9) Policy RE1: general comments:
 Appropriate policies for individual technologies
 We attach proposed policies which follow those used in other local jurisdictions and have been tailored to consider these impacts.

 If such policies are not included, we would like to see specific plan policies relevant to the impacts listed under comment 9) above which are: loss of productive farmland (solar, biomass, anaerobic digesters), shadow flicker (wind), amplitude modulation noise nuisance (wind), loss of peat and dark soils (wind), soil erosion and water run off (solar, wind), soil contamination (wind, solar, anaerobic digesters), water abstraction, ground and surface water implications and habitat impacts (hydro, wind, anaerobic digesters), safe use of highways and rights of way, including consideration of vulnerable users and considerations of topple distance and ice-throw (wind).

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F26//RE1 11/03/2016 Summary: Policy RE1 - Renewable Energy - FC40 - Objection

Source: Type: Objection Mode Oral (Examination) Status Maintained

Site decommissioning
The LDP should specify arrangements for funds to be deposited on escrow account for site restitution for appropriate development.

Adverse environmental impacts of development in SSAs
Insert new sentence at end of 4.10.5b stating that PCC recognises that not all, or indeed any, of the remaining land within SSAs may prove suitable once all material considerations are applied.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: All of the above. Evidence of very insufficient consideration of known impacts of renewables developments within existing plan policies and the urgent need for insertion of robust environmental protections.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Objecting to several aspects of Policy RE1, including:
a. size of Community Scale proposals
b.inadequate protection of environmental interests
c. lack of appropriate policies
d. site decommissioning
e. impacts of development in SSAs

Council Response: 0

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6315 Natural Resources Wales

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6315.F9//RE1 11/03/2016 Summary: Policy RE1 - Renewable Energy - FC40 - Comment re SSAs and SPG

Source: Email Type: Comment Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Policy: RE1

Issue: 2015: Deposit Draft-08.Minerals, Waste and Renewable Energy

Question Representation Texts

Question: Council Response

Representation Texts: Your comments regarding Policy RE1 (references to SSA's, and SPG) are noted. Thank you.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Focussed Change FC40 – Policy RE1 – Renewable Energy - It is noted that this policy has now been re-written and we welcome the specific reference to Strategic Search Areas. We note that paragraph 4.10.10 refers to the intention to prepare a Renewable SPG and we would welcome the opportunity to be involved in the preparation of this SPG.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Comments regarding Policy RE1 (references to SSA's, and SPG).

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6323 RWE Innogy UK Ltd

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6323.F5//RE1 10/03/2016 Summary: Policy RE1 - Renewable Energy - FC40 and paras4.10.4 to 4.10.10

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Policy: RE1

Issue: 2015: Deposit Draft-08.Minerals, Waste and Renewable Energy

Question Representation Texts

Question: Council Response

Representation Texts: The Council disagrees with the Representation and the suggested change. Para 4.10.9 follows on from para 4.10.7 which explains that the targets mentioned in LDP Objective 5 relate to Micro and Sub Local Authority wide energy schemes, hence it is these that RE1 is focussed on. However, following representations on the Schedule of Focussed Changes including those made by Welsh Government and recent legislative changes, the Council is undertaking a review of the current renewable energy evidence which will also consider other low carbon technologies (solar). Any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Policy RE1 – Renewable Energy
 For the reason set out below, it is considered that LDP Policy DM6 in its current form fails to meet the Consistency (C2) and Coherence and Effectiveness (CE2) tests of soundness.
 • There is a grammatical error in RE1 – 1, and paragraphs 4.10.5b and 4.10.7, referencing SSA's instead of SSAs.
 • Policy RE1 is intended to support all scales of renewable and low carbon energy projects, not just sub local authority and micro scale as stated in paragraph 4.10.9.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Policy RE1 – Renewable Energy:
 • RE1 – 1, and paragraphs 4.10.5b and 4.10.7:
 o Delete "SSA's" and replace with "SSAs"
 • RE1 – paragraph 4.10.9:
 o Delete "sub local authority and micro scale"

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Objection to RE1 and its use of the scales of proposals

Council Response: 0

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.93 Policy M1 – Existing Minerals Sites - FC41, FC42

1481 The Coal Authority

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1481.F3//M1 11/03/2016 Summary: Policy M1 – Existing Minerals Sites - FC41

Source: Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.63

Policy: M1 Issue: 2015: Deposit Draft-08.Minerals, Waste and Renewable Energy

Question Representation Texts

Question: Council Response

Representation Texts: This Representation is noted. The Council would not be opposed to adding reference in the introductory paragraph to National Policy in respect of onshore oil and gas (paragraphs 14.8.6, 14.8.7 and 14.8.8.) and will propose the following addition to the introductory paragraph on minerals to the Inspector as a Matters Arising Change:

".....restoration and aftercare.

No specific policy is included in respect to onshore oil and gas because PPW provides adequate policy."

In response to the representation made, the Council propose the following new paragraph as an addition to the supporting text of Policy M1 for consideration by the Inspector as a Matters Arising Change:

"4.11.12 An extant Petroleum Exploration & Development Licence (PEDL148) impinges into the MPA area south of Ystradgynlais. The Proposals Maps indicate the extent of the licence area."

Council Response: 0

Question: 1 Representation Details

Representation Texts: Representation No.3
Focussed Change FC41 – Schedule of Focussed Changes Document, Introductory paragraph to Minerals Section

Test of Soundness
P1 P2 C1 C2 C3 C4 CE1 CE2 CE3 CE4

Objection – The supporting text to the policy does not signpost users of the plan to the relevant text within MPPW with regards onshore oil, gas and unconventional hydrocarbon proposals. No reference is made to the presence of PEDL licence 148 which extends into the southern tip of the Local Authority area.

The Coal Authority welcomes the opportunity to make these comments. We are, of course, willing to discuss the comments made above in further detail if desired and would be

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1481.F3//M1 11/03/2016 Summary: Policy M1 – Existing Minerals Sites - FC41

Source: Type: Objection Mode Written Status Maintained

happy to negotiate alternative suitable wording to address any of our concerns. The Coal Authority would be happy to enter into discussions ahead of any examination hearing process to try and reach a negotiated position if this were considered helpful.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Changes requested –
 1)The supporting text should signpost users of the plan to the relevant text contained within paragraphs 64 and 65 of MPPW with regards onshore oil, gas and unconventional hydrocarbon proposals.
 2)The proposal map to the Local Development Plan should include up-to-date PEDL Licences within the Local Authority area.

Reason – To comply with the requirements of MPPW.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Include additional information to inform developers in introductory paragraph.

Council Response: 0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1481.F4//M1 11/03/2016 Summary: Policy M1 – Existing Minerals Sites - FC42

Source: Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.63

Policy: M1 Issue: 2015: Deposit Draft-08.Minerals, Waste and Renewable Energy

Question Representation Texts

Question: Council Response

Representation Texts: The support is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Representation No.4

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1481.F4//M1 11/03/2016 Summary: Policy M1 – Existing Minerals Sites - FC42

Source: Type: Support Mode Written Status Maintained

Focussed Change FC42 - Schedule of Focussed Changes Document, Policy M1: Existing Minerals Sites

Test of Soundness
P1P2C1C2C3C4CE1CE2CE3CE4

Support – The Coal Authority supports the rewording of Policy M1 which clarifies the instances where extensions to existing minerals/coal sites will be permitted.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.95 Policy M2 – New Minerals Sites - FC44

1481 The Coal Authority

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1481.F5//M2 11/03/2016 Summary: Policy M2 – New Minerals Sites - FC44

Source: Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.65

Policy: M2 Issue: 2015: Deposit Draft-08.Minerals, Waste and Renewable Energy

Question Representation Texts

Question: Council Response

Representation Texts: The support is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Representation No.5
Focussed Change FC44 - Schedule of Focussed Changes Document, Policy M2: New Minerals Sites

Test of Soundness
P1P2C1C2C3C4CE1CE2CE3CE4

Support – The Coal Authority supports the rewording of Policy M2 which omits the previous presumption against new coal workings.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.104 Appendix 1 – Settlement Allocations - FC45

1413 The National Assembly for Wales (K. Williams AM)

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1413.F1 11/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45, Boughrood & Llyswen - Site allocation P06 HA1

Source: Type: Not duly made Mode Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: This representation is not considered to be duly made as it does not relate to a specific Focussed Change. Objections were made to the Deposit LDP in relation to housing site allocation P06 HA1, so this matter will be considered by the Independent Planning Inspector conducting the examination into the soundness of the Powys LDP.

Council Response: 0

Question: 1 Representation Details

Representation Texts: I write in respect of Powys Local Development Plan 2011 – 2026 Focussed Changes Representation January 2016.
 You will be very aware of my previous concerns of the inclusion of the allocation of sites P06 HA1 in reference to 35.25. I would like to take this opportunity to raise with you the very strong feelings expressed by the community of proposed inclusion within the LDP and which they feel is contradictory to planning policy.
 As you will be aware from their submission there are concerns over policy FC6, FC9, FC11, FC13, FC15, FC21 and FC Appendix Page 107/108. I trust full consideration will be taken into account of by the representations of Mr and Mrs Smart and the 22 representatives of Llyswen.
 I hope that these comments will be taken into consideration.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

4397 E-Comservices/Alert Activities Ltd

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

4397.F1 09/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45 - Support for P58 HA9

Source: Post or in person Type: Support Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais
Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Your support for P58 HA9 is noted. Thank you.

Council Response: 0

Question: 1 Representation Details

Representation Texts: The site will have little adverse impact and numerous advantages in terms of access and location. As essential services are adjacent to the site the cost of development will be minimised and this will enhance the chances of the site being successfully developed and occupied.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: The deliverability of the site.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Support for site P58 HA9

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

4786 Powys County Council, Highways Transport and Re

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

4786.F2 11/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45 - P51 MUA1

Source: Type: Comment Mode Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016 Site: 759/759/P51 MUA1 Former Kaye Foundary Site
Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: This comment is noted. The Council would not be opposed to adding reference for the need to have a Transport Assessment to be carried out for site P51 MUA1 in Presteigne and therefore will propose to the Inspector the following text to be added to the Issues/Infrastructure column in Appendix 1 as a Matters Arising Change:

Re Site P51 MUA1:

"..... Town Centre and historic environment to be demonstrated. Traffic Assessment required. *Project level HRA screening may be"

Council Response: 0

Question: 1 Representation Details

Representation Texts: Access via Lugg View was anticipated for the redevelopment of this site however the combined retail and residential use will generate a different blend of traffic from the single factory use and I therefore advise that a Transport Assessment/Statement will be required to accompany any application.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Add a reference to the need for a Transport Assessment in the Issues/Infrastructure column.

Council Response: 0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

4786.F3 11/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45

Source: Type: Comment Mode Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016 Site: 1108/1108/P06 HA1 Land at Llyswen adj B24 HA3
Issue: 2015: Deposit Draft-11. Allocated Sites

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

4786.F3 11/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45

Source: Type: Comment Mode Status Maintained

Question Representation Texts

Question: Council Response

Representation Texts: This representation is noted. The Council agrees to the change as proposed by the representor for site P06 HA1 and will propose to the Inspector the following text be amended in the Issues/Infrastructure column in Appendix 1 as a Matters Arising Change:

Re Site P06 HA11:

"..... drainage required. Highways - Improvements to Trunk Road A479 footpath access to village and traffic controlling measures required. Category 1....."

Council Response: 0

Question: 1 Representation Details

Representation Texts: The Issues/Infrastructure column makes reference to improvements on the class I road but this should read Trunk Road A479.

Council Response: 0

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

5695 Bardsley, Mrs Margaret

Agent: **Strutt & Parker LLP (Chester)**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5695.F2 11/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments. Please note that the Council is producing further work to more clearly explain the rationale behind the housing requirement figure and the housing provision figures as published in the Deposit Plan and the subsequent changes as published in the Focussed Changes Schedule.

Page 282

In response to your comments, the Council do not agree that there is a need for further site allocations to be made in Guilsfield. The Council's figures for housing growth are set out in the LDP Strategy topic paper (and updates). The Council has treated the calculated pro-rata apportionment as the starting point for planning new housing across the Towns and Large Villages of Powys. Further to the candidate sites assessment process, officers have used professional judgement and discretion as to the most appropriate housing land allocations, including consideration to the site size required and likely capacity figures so as to meet housing needs. For example in Guilsfield there was originally an intentional potential modest "over-supply" against the pro-rata apportionment as the committed site for 46 new units at Sarn Meadows was subject to identified constraints which were perceived to potentially affect viability/delivery.

With further evidence to hand, the Council has since taken the view at the Focussed Changes stage that the site at Sarn Meadows cannot be relied upon to deliver dwellings by 2026 (the end of the Plan period). It is acknowledged that this decision could mean the LDP now actually plans for an "under supply" of dwellings in the settlement against its pro-rata requirement. However this is considered acceptable as the Plan has been clear that the Strategy for pro-rata growth is subject to each settlement's "infrastructure and environmental capacity". Due to the particular constraints at Guilsfield (flood risk areas, sites of historic interest and the Granllyn SAC) the settlement does not have a generous supply of suitable and available land (see candidate sites analysis).

In conclusion, the Council do not consider it necessary to seek additional sites to meet the housing needs of Guilsfield over the Plan period. The loss of the Sarn Meadows site due to deliverability concerns does not, in the Council's opinion, warrant the need for a substitute housing site. That site is now white land within the development boundary and therefore carries a favourable presumption for development in recognition of the extant planning permission. The Council is of the opinion that the units on Sarn Meadows may still come forward and also that, alongside specific housing land allocations, other opportunities for windfall/infill and exceptions exist in the settlement which can all contribute to housing supply. The Council is confident that the housing needs for Powys can be met through the Plans growth strategy based upon the sustainable settlement strategy.

The Council do not agree that any changes to the Plan are required in response to this Focussed Change representation. It is considered that, as a result of the site representations (5695.V2) made at the Deposit Stage, the merits of the new/alternative site proposed at Tan-y-Gaer will be duly discussed and considered in full through the Examination process. It will be for the Inspector to decide if the alternative site should be included as a housing land allocation in the final adopted LDP.

Council Response:

0

Question: 1 Representation Details

Representation Texts: This letter is to accompany the Powys Local Development Plan (LDP) 2011-2026 Focussed Changes Representation Form, January 2016. This representation is being submitted on behalf of Mrs M Bardsley in support of allocating the site "Land at Tan-y-Gaer, Guilsfield" for residential development.

Our objection to the Plan remains as per the previously submitted consultation representations.

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

5695.F2 11/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45

Source: Type: Objection Mode Oral (Examination) Status Maintained

Powys County Council submitted their Local Development Plan Draft in July 2014, and in September 2014 the Welsh Government outlined their concerns regarding the soundness of the Plan. It was stated that the Authority had not justified the use of the 2011 Government lower variance housing projections. The revised draft now increases the housing target from 5,000 to 6,129 dwellings. The 2016 Deposit Plan still uses 2011 Government projections, despite the starting point needing to be 2011 projections plus a ten year migration rate. In order for the economic and social aspirations of the Plan to be taken account of, the proposed level of housing for the plan period should be between 6,449 and 10,775 new dwellings. It is important to note that if the Authority do not further increase their level of housing growth, there is concerns around the Plan again being found unsound as it will not be based on robust and credible evidence (test of soundness CE2).

Nb. Council note - the above paragraph has also been recorded separately at F.1.

The latest Plan proposes the removal of site 1099 (46 dwellings at Sarn Meadows). This is understandable considering that the development is yet to be implemented despite gaining planning consent in June 2005. However this only leaves two proposed allocation sites delivering 39 dwellings in Guilsfield (Celyn Lane and Land east of Groes Lwyd). We consider that this level of growth will not meet the future housing needs of at least 156 more households over the plan period based on census statistics (see LDP Representation 2014) in Guilsfield, which is one of the most sustainable settlements within the County of Powys. Accordingly further site allocations need to be identified adjacent to Guilsfield.

The Land at Tan-y-Gaer has the potential to deliver a much needed mix of housing which links into the Celyn Lane site and the village and contributes to the overall need to increase housing delivery. The allocation of the site will contribute towards the soundness of the Plan, contributing to test 2 "Is the plan appropriate?" by helping address the key issues, and demonstrating that real alternatives have been considered. The site also enables compliance with soundness test 3, as the site can be delivered.

In relation to flood risk, the extensive flood risk work carried out on site 1099, Sarn Meadows, identified that Land at Tan-y-Gaer, Guilsfield will not flood in either a 1 in 100 year undefended fluvial or 1 in 1,000 year undefended scenario (see appendix A). It was this evidence that was the instrumental factor for the removal of the Sarn Meadows site from the flood risk zone. In addition, our client is willing to commit costs to confirm this position, through updated flood risk work should the Inspector/Authority look to allocate the site for housing.

To conclude, the objection focuses on the need for additional housing sites to enable a sound Local Development Plan. The site complies with soundness tests 2 and 3 and presents a real solution to the issues surrounding Guilsfield's current housing strategy. This site is the alternative to the Sarn Meadows allocation deletion. Appendix B proposes a potential master plan for the site's development, demonstrating that the site, with Celyn Lane, will form a logical extension to the village.

Supporting information - Appendix A - Environment Agency Flood and coastal risk maps and data challenge form (Flood Map Change effected 08/08/14)
Appendix B - potential masterplan for the site (note this is titled Appendix C)

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Recommend land at Tan-y-Gaer, Guilsfield is allocated for residential development for reasons stated in the attached letter.

Council note: the letter text has been recorded in full at Q.1. the council summarises the proposed requested change as: Allocate additional housing site (land at Tan-y-Gaer) to compensate for the removal/deletion of Sarn Meadows allocation (P20 HC1).

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5695.F2 11/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45

Source: Type: Objection Mode Oral (Examination) Status Maintained

Question: 3 Reason for request to speak at hearing

Representation Texts: Objection on the Local Plan and proposed allocation for housing development on the land at Tan-y-Gaer.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Proposed alternative site to the Sarn Meadows allocation deletion.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

5843 Trevor, Mr T

Agent: **Carter Jonas (Shrewsbury)**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5843.F1 11/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments which are noted. The Council acknowledges that market conditions impact heavily on the timescales for the build out of sites and delivery of new housing across Powys and that the housing site at Sarn Meadows is not alone in this respect. The Council does not agree that the decision to remove the site from the Settlement Allocations Table (previously allocated as P20 HC1) has not been based on evidence. Please note that the Council treats a pre-application enquiry to the Development Management section separately to any decision making being made through the plan-making process. In response to the Deposit Plan consultation, Representation 5843.V1, submitted by yourselves, proposed an alternative site, in the same land owners ownership with a request to speak at the hearing session on the grounds "Representation of landowner in relation to swapping Committed Site P20 HC1 for Candidate Site Number 1176 to improve the deliverability of residential development."

The accompanying letter to the Deposit Plan representation states the site has been marketed since 2010, development commenced in 2012 but "Since that time, we have continued the marketing process but the major hurdle to the deliverability of the site is the cost of the flood mitigation works. The approximate costs of the earth moving alone, including the bringing in of soil, are around £200,000. The sewage would require a pumping system, and the depth of fill needs to be taken into account when calculating the cost of roads and drains, foundations etc. All of these extra costs are discouraging potential developers". These facts, as stated, lead the Council to having concerns that the site is not proven viable and deliverable by 2026 and hence should not be relied upon to contribute to the housing needs of Powys over the LDP period.

The Council disagrees that the Focussed Change goes against the spirit of positive planning. You will note that the site is now included as white land within the development boundary of Guilsfield and therefore carries a favourable presumption for development in recognition of the extant planning permission. The Council is of the opinion that the 46 units on Sarn Meadows may still come forward but there is a risk to their delivery by 2026. The LDP now reflects this risk but in no way does the LDP alter the fact that the site has an extant planning permission which could be fully implemented in due course.

Although the Council considers that no changes to the Plan are necessary in response to this Focussed Change representation, it notes that the Deposit Plan representation for the new/alternative site (effectively requesting a land swap) - 5843.V1 - will be heard in full at the Examination. The Inspector will make the final decision on the contents of the adopted Development Plan.

Council Response:

0

Question: 1 Representation Details

Representation Texts: We object to:
Proposed Focus Change FC45
Appendix 1 Settlement Allocations
Guilsfield P20 HC1
The document states that:
Guilsfield P20 HC1 - This housing site has been deleted due to updated evidence on the site constraints and flood risk mitigation requirements which result in abnormal costs to development leading the Council to have fundamental concerns over the likelihood of delivery within the Plan period. (Rep. No. 5843.V1).

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

5843.F1 11/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45

Source: Type: Objection Mode Oral (Examination) Status Maintained

The site has consent for 46 dwellings with an affordable housing provision of 14 units (Appeal Ref: APP/T6850/A/05/1184523).

In 2012, the landowner implemented the consent and at this time, NRW requested additional modelling for a revised flood mitigation strategy. A specialist firm was appointed to undertake quantitative analysis to assess the flood risk issues of the site including hydraulic calculations and modelling. An approved revised mitigation strategy including a bund, an embankment and partial raising of the land was agreed with NRW and Powys Council following several months of detailed analysis.

Following the implementation of the planning consent and the resolution of the mitigation strategy with NRW, the Site has been marketed for sale on the Carter Jonas website (www.carterjonas.co.uk), Rightmove (www.rightmove.co.uk), Onthemarket (www.onthemarket.com) and Harry Ray (www.harryray.com).

The marketing exercise has resulted in developers expressing an interest in the site, but unfortunately this has not culminated in a sale. Reasons include the abnormal development costs coupled with the high level of caution expressed by developers in the present market conditions. Market stability for residential development has seen improvement since the recession, but such growth is predominately focussed in London and the South East of England. More locally, in Shropshire, market conditions have improved, but developers are predominately concentrating sites in the main market town of Shrewsbury with limited appetite for the outlying market towns including Market Drayton and Wem. Generally, we have found as a national firm of Chartered Surveyors that developers in this area tend to favour projects in Shrewsbury as opposed to crossing the border in to Powys. Presently, the appetite for development for sites in the Welshpool and Guilsfield area is justifiably limited.

This restriction with regards housing development is a concern, particularly as Guilsfield is a popular and desirable location in need of additional homes, both open market and affordable. We submitted a pre-application consultation to assess the Council's view of effectively 'land swapping' the permitted development site for the land that sits to the North. It was our intention that this would perhaps provide for a 'cleaner' site than that presently permitted. However, this is still all speculation as the market forces will ultimately dictate whether a developer will build out a scheme. The restriction of selling this site is therefore not solely due to the abnormal costs. Interestingly, we are currently in talks with a developer who is interested in the development site, so perhaps this is a positive step towards greater market certainty in Guilsfield? We are very much hoping that our discussions culminate in a sale, but it would be un-professional of us to guarantee such delivery at this stage.

In returning to the pre-application enquiry, this should not result in the Focussed Changes; FC104 and FC45 of deleting The Site. The reason for this is two-fold. Firstly, the site has an implemented planning consent. Secondly, the site does have constraints with regards abnormal costs, but as explained, market conditions for housing growth are limited in the area. This is not a specific problem to this site; it is a County/Regional issue which makes the deletion of this site from the LDP an unsound decision which is clearly not based on evidence.

It is therefore considered that the LDP Focussed Changes (FC104 and FC45) have not been prepared in the spirit of positive plan making required under Planning Policy Wales and accordingly the deletion of the Sarn Meadows development site is unsound as it is not based on an evidential response. Indeed, the market conditions issue could be tied to a number of sites in Powys.

The Welsh Government are working hard to encourage and boost housing supply and to help

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

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Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5843.F1 11/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45

Source: Type: Objection Mode Oral (Examination) Status Maintained

try and ensure that planning authorities maintain a 5-year supply of readily developable housing land in their areas, the Welsh Government published the revised Technical Advice Note 1 (TAN1) on preparing Joint Housing Land Availability Studies ('JHPAS'). The Welsh Government and Home Builders Federation also pledged to increase housing supply, with a pact to work in partnership also with local authorities and others to increase the supply of new homes in Wales, and that also promises to maximise the local jobs and training opportunities created by the construction industry. The above legislation, coupled with the Planning (Wales) Act 2015 all count towards planning 'positively'.

In assessing the key tests of soundness, it is considered that the Focused Changes: (FC104 and FC45) are unsound as:

- 1 The Focussed Changes have not been positively prepared and therefore The Plan has not been positively prepared
- 2 The Focussed Changes are not justified and therefor The Plan is not justified.
- 3 The Focussed Changes are not based on robust and credible evidence and therefore The Plan is not based on robust and credible evidence
- 4 The Focused Changes are not flexible and do not account for the true nature of the development site and housing land availability within Guilsfield. Therefore The Plan is unsound.
- 5 The Focused Changes are not consistent with National Policy as they are not 'positively prepared' and therefore The Plan is unsound.

In summary, Focused Changes (FC104 and FC45) should not be accepted and the development site at Guilsfield should be reinstated in The Plan.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Focused Changes (FC104 and FC45) should not be accepted and the development site at Guilsfield should be reinstated as a site with 'Implemented Planning Consent' in The Plan.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: - Guilsfield Housing Allocations –
 - Development Site P20 HC1 (Known as Sarn Meadows)
 Easting: 322197
 Northing: 312031
 - Focused Changes (FC104 and FC45)

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5843.F1 11/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45

Source: Type: Objection Mode Oral (Examination) Status Maintained

Question: 4 Summary of Representation

Representation Texts: Objection to the removal of housing site allocation P20 HC1 (known as Sarn Meadows).

Council Response: 0

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6071 Hopkins, Mr Craig *Agent:* **Asbri Planning Ltd**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6071.F1 11/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45 P58 HA12

Source: Email Type: Support Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016 Site: 1312//P58 HA12 Cynlais Playing Fields, Ystradgynlais
Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Your support for P58 HA12 Cynlais Playing Field is noted. Thank you.

Council Response: 0

Question: 1 Representation Details

Representation Texts: The proposed Focussed Change to allocate land at Cynlais Playing Field, Ystradgynlais – HA 12 is Supported.
The site is identified in Appendix 1 – Settlement Allocations (Focussed Change R 34.104) and allocates the site for 10 dwellings.
The site has been the subject of comprehensive and rigorous studies which have supported a planning application. A further planning application has also been submitted to the Brecon Beacons National Park Authority, as access to the site lies within the National Park boundary.
As well as contributions to meeting the current 5 year housing land shortfall in Powys, which is currently only 1.9 years (April 2015), the site will provide for a range and choice of housing, including 10% affordable housing.
It is the intention of the applicant to develop the site in the short term, and it is considered that there is a strong market for new dwellings locally, particularly in view of recent improvements in demand and the lack of available housing sites in the area.
The site is therefore clearly deliverable and suitable as an LDP allocation and the intention is to support the Council's stance in respect of any questions or issues raised by the Inspector at future LDP Examination Sessions.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Retention of housing land allocation HA12 – Cynlais Playing Field, Ystradgynlais.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: In order to present evidence before the Inspector of the site's deliverability.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Supporting FC45 - P58 HA12 Cynlais Playing Field

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Filtered to show: (all of) Stage=F; Status=M

<i>Rep'n/Para/Policy</i>	<i>AccessnNo</i>	<i>DateLodgd</i>	<i>Late?</i>	<i>Status</i>	<i>Modified</i>	<i>Summary</i>
6071.F1		11/03/2016	<input type="checkbox"/>			Summary: Appendix 1 – Settlement Allocations - FC45 P58 HA12
Source: Email			Type: Support		Mode	Oral (Examination)
				Status		Maintained

Council Response: 0

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6196 CME Developments Ltd

Agent: **Asbri Planning Ltd**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6196.F1 11/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45 P58 HA9 - Penrhos Farm

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais

Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: The Council disagrees with this Representation. The Allocation at P58 HA9 (Penrhos Farm) has taken into account the need for ground and ecological surveys to address any problems that may exist as far as previous industrial activity and wildlife interests are concerned. These are highlighted in the Infrastructure/Issues column in Appendix 1 with regards to this site. Consequently it is not proposed to develop all the site to enable adequate green space, such as woodland, to be retained around it.

Council Response: 0

Question: 1 Representation Details

Representation Texts: The inclusion of land at Penrhos Farm, Ystradgynlais in Appendix 1 is objected to on the grounds that the site will be difficult to develop, and that more suitable sites exist, notably the proposed extension to the Brynygroes Farm site (referred to on a separate representation form). It is known that the site at Penrhos Farm is affected by old mine shafts and sinkholes. Development of the site will therefore need to address major adverse ground conditions associated with former mining activities. In addition there are ecology issues, including a live badger sett on part of the site. Consequently there is considerable doubt as to whether the development of the site for housing would be viable or deliverable.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Allocation of additional land for a further 18 dwellings to the north of proposed Focussed Changes Housing Land Allocation HA 10 – Land at Brynygroes Farm, Ystradgynlais in order to compensate for other sites in the Ystradgynlais area which are unlikely to come forward for development.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: In order to present evidence before the Inspector.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Objecting to P58 HA9 on the grounds that the Brynygroes Extension (CS852 see F2) is more suitable for Development

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Status	Modified	Summary
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6196.F3		11/03/2016	<input type="checkbox"/>			Summary: Appendix 1 – Settlement Allocations - FC45 - Support for P58 HA10
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Source: Email	Type: Support	Mode: Oral (Examination)	Status: Maintained
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Document:FC - Schedule of Focussed Changes Jan 2016

Site: 1310/851/P58 HA10 Brynygoes, Ystradgynlais

Issue: 2015: Deposit Draft-11. Allocated Sites

Question *Representation Texts*

Question: **Council Response**

Representation Texts: Your support for FC45 P58 HA10 is noted. Thank you.

Council Response:

0

Question: 1 **Representation Details**

Representation Texts: The proposed Focussed Change to allocate land at Brynygroes Farm, Ystradgynlais – HA 10 is Supported. The site is identified in Appendix 1 – Settlement Allocations (Focussed Change R 34.104) and allocates the site for 136 dwellings. This follows the resolution to grant outline planning permission – Ref P/2014/1133. While it is considered that an opportunity has been missed to identify a larger area and include additional land to the north, (separate representations refer) support is given to the Focussed Change, particularly as the site is currently allocated in the adopted Unitary Development Plan (UDP). The site has been the subject of comprehensive and rigorous studies which have supported two planning applications. These have demonstrated that a higher density form of development can be accommodated above that identified in the UDP, and that landscape impact can be addressed by the imposition of appropriate conditions. As well as contributions to meeting the current 5 year housing land shortfall in Powys, which is currently only 1.9 years (April 2015), the site will provide for a range and choice of housing, including 23% affordable housing. It should be noted that the LDP requirement for affordable housing in Ystradgynlais is only 10%.Contributions towards improved educational facilities locally will also be forthcoming. Discussions are currently underway with interested house builders, and it is considered that there is a strong market for new dwellings locally, particularly in view of recent improvements in demand and the lack of available housing sites in the area. The site is therefore clearly deliverable and suitable as an LDP allocation and the intention is to support the Council's stance in respect of any questions or issues raised by the Inspector at future LDP Examination Sessions.

Council Response:

0

Question: 2 **Changes needed to the Focussed Change**

Representation Texts: Representations on a separate form relate to the need to allocate a larger site which includes additional land to the north.

Council Response:

0

Question: 3 **Reason for request to speak at hearing**

Representation Texts: In order to present evidence before the Inspector of the site's deliverability.

Council Response:

0

Question: 4 **Summary of Representation**

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by: Representation No

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<i>Rep'n/Para/Policy</i>	<i>AccessnNo</i>	<i>DateLodgd</i>	<i>Late?</i>	<i>Status</i>	<i>Modified</i>	<i>Summary</i>
6196.F3		11/03/2016	<input type="checkbox"/>			Summary: Appendix 1 – Settlement Allocations - FC45 - Support for P58 HA10
Source: Email		Type: Support		Mode	Oral (Examination)	Status Maintained

Representation Texts: Supporting FC45 P58 HA10 Brynygroes

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6280 Residents of Irfon Bridge Close

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6280.F1 11/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016 Site: 579/579/P08 HA3 Land adj. To Tai Ar Y Bryn, Hospital Rd.,Builth

Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: The Council does not agree with this Representation. Consideration was given to the Representation made during the second Deposit Draft consultation in July 2015. However no evidence was presented to challenge the Allocation of P08 HA3.

With regard to the other points raised the three trees felled were not boundary trees but were within the field itself and were not of any maturity. The designation of an Ancient Woodland or SAC does not, in itself, prohibit the felling of trees. An HRA Screening and Ecological Survey is required at Application stage. A Planning Application has recently been made for the site (P/2016/0309). Until the LDP is Adopted the active Development Plan for the County, against which all Planning Applications are tested, remains the UDP which does not include any Allocation for the site in question.

Council Response:

0

Question: 1 Representation Details

Representation Texts: Builth Wells P08 HA3
 We, as the residents of Irfon Bridge Close, wish to again OBJECT STRONGLY to the inclusion of the above site within the proposed LDP for Powys.
 Objections were raised in July 2015 during the Deposit Stage of the LDP and we wish to re iterate those objections (please see former objection dated t1h7 July 2015, signed by the 9 properties of Irfon Bridge Close).
 We do not believe that our concerns were fully taken into consideration by the Council during the deposit stage which relate particularly to:
 - Highway Safety / Access issues
 - Existing infrastructure issues
 - Topography issues of the site
 - Surface Water and flooding issues
 - Drainage issues
 - Biodiversity I ecology issues
 We understand that a focused change has taken place with regard to the proposed site which has been made to include the wording "Mature trees on boundary of site to be retained".
 We wish to inform the Council that unfortunately after the inclusion of this wording the owner I developer of the site proceeded to fell mature oak trees within and bounding the site. A request was made to Powys Council to place a TPO on these trees to protect them, however this request for a TPO was not pursued in time to save the trees. We would like it noted that the trees fall within a designated Ancient Woodland and the River Wye SAC and would like the

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6280.F1 11/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45

Source: Type: Objection Mode Oral (Examination) Status Maintained

Council to investigate this as a matter of urgency due to the impact this may have on biodiversity and ecology issues on this site. We would also wish to be informed whether the HRA screening required as outlined in the proposed LDP and Ecology Surveys have been undertaken by the owner of the site? We raised concerns on ecology issues in our submission dated July 2015 and feel that the Council have not taken these concerns on board within the Focused Changes.

We understand that the owner of the site will be submitting an Outline planning application for over 80 dwellings in the foreseeable future (to include site P08 HA3 and the field directly southeast) and is not waiting for the outcome of the LDP process to conclude prior to submitting the application. The residents of Irfon Bridge Close will of course be objecting to the outline application once submitted to the local planning authority, but feel that the application should be considered Premature ahead of the approval of the LDP and should be rejected.

For information, a meeting was called on the 8th March 2016 with Builth Town Council and concerned local residents to discuss the inclusion of this site within the LDP. Approximately 30 plus local residents attended this meeting and a number of issues were raised and local objection to the proposed inclusion of the site within the LDP were passed to the Town Council. The Town Council has agreed to hold a further Public Meeting (date to be decided) — where the issues can be further discussed. We would appreciate a representative from the Council's LDP Team at this meeting in order for residents concerns to be heard in their entirety. To date we dont feel that the views of local residents have been taken on board fully.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: The focused changes have not taken into account the former issues raised in our representation dated July 2015.
The site proposes 40 dwellings but the developer is submitting a planning application for over 80 dwellings in the near future. We believe the plan remains unsound whilst this site is included.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: We wish to speak to the Inspector as we believe that we have information regarding the unsuitability of the above site for inclusion within the LDP.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: The site is unsuitable for development for highway, infrastructure and biodiversity reasons and should be removed from the Plan.

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by: Representation No

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Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6280.F1 11/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45

Source: Type: Objection Mode Oral (Examination) Status Maintained

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6315 Natural Resources Wales

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6315.F10 11/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45

Source: Email Type: Comment Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016 Site: 1288//P20 HC1 Land at Sarn Meadows
Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments which are noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Focussed Change FC45 - Appendix 1 – Settlement Allocations

We are satisfied that our comments included in our letter dated 16th July 2015 relating to individual sites have been dealt with satisfactorily in the focussed changes. In particular we are satisfied that the allocations now include details of any outstanding commitments.

We note in particular the omission of site P20 HC1 Guilsfield due to abnormal development costs and the LPA having fundamental concerns over the likelihood of delivery during the plan period.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response: 0

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by: Representation No

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6412 Newbury, Paula

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6412.F1 09/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45 - Support for P58 HA9

Source: Post or in person Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais
Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Your support for P58 HA9 is noted. Thank you

Council Response: 0

Question: 1 Representation Details

Representation Texts: To myself I support this proposal. As a mother the site will be a safe place for my children, it isnt on the main road, so I wouldn't need to worry about traffic while struggling to put the children into their car seat. As the site joins the cycle path, that by passes the school, this will be the best and safest way for the children to get to school. The site is also central for access to local shops, plus also it is on a main bus route to surrounding areas like Neath, Swansea and also access to the Motorway.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Support for P58 HA9

Council Response: 0

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by: Representation No

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6413 Roderick, Paul

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6413.F1 09/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45 - P58 HA9

Source: Post or in person Type: Support Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais
Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Your support for P58 HA9 has been noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: It's a great idea. 1st time buyers get a chance to get onto the property ladder. Not adding to congestion and increases local revenue.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Supporting Allocation of P58 HA9

Council Response: 0

Page 209

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6416 on behalf of Residents Group

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6416.F14 10/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45

Source: Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: The Council does not agree with this Representation. Objections raised with regards surface drainage on this site were considered in relation to housing site allocation P06 HA1 and were included as Issues in the proposed Focussed Changes to Appendix 1 - Focussed Change FC 45. These issues would require to be addressed when any development application is made. The Representor does not raise new issues or evidence which lead the Local Planning Authority to change its conclusions.

Evidence has been provided that an Ordinary watercourse flows through/adjacent this site. Part of this Ordinary watercourse was re-routed to accommodate earlier phases of development. No drainage/flood issues have been recorded since the watercourse was re-routed. A maintenance/protection zone should be secured along the watercourse corridor. Soil type for locality is indicated as being freely draining, i.e. suitable for SuDS.

Objections raised with regards access to any development were considered in relation to housing site allocation P06 HA1 and were included as Issues in the proposed Focussed Changes to Appendix 1 - Focussed Change FC 45. These issues would require to be addressed when any development application is made. The Representor does not raise new issues or evidence which lead the Local Planning Authority to change its conclusions.

The Council does not agree that the site should be removed, but it will be for the Inspector to decide if the site should be excluded as a housing land allocation in the final adopted LDP.

Council Response: 0

Question: 1 Representation Details

Representation Texts: FC Appendix 1 - page 107/108.

Page 107 - HA1 - Assessment of surface drainage required.

This site is the only flat field around this area where a lot of the surface water runs down from the sloping ground of Brechfa Common and fields surrounding it. If there were houses built here there would be a lot of concrete and tarmac and surface draining required so water would not penetrate into the ground which will create more flooding in the Llyswen area. The Environmental Agencies have been trying to stop farmers from draining their ground and laying tarmac and concrete around their farm yards in order to prevent flooding in the future.

Improvement to highway footpath to village:

The footpah from Llys Meillion estate into the village cannot be improved in any way because there is no room for any pavement on the one side and the other side of the main road has a narrow pavement with only single file walking which cannot be widened because of the houses along the side of the road.

There must be sites a lot more suitable than this to build on.

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Status	Modified	Summary
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6416.F14		10/03/2016	<input type="checkbox"/>			Summary: Appendix 1 – Settlement Allocations - FC45
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Source: Type: Objection Mode Written Status Maintained

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: The proposed plot should not be considered for inclusion as part of this LDP due to the points raised above. The only change that should occur to the LDP is the plot removed which would make the LDP sound.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Request the removal of site allocation P06 HA1.

Council Response: 0

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Status	Modified	Summary
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6416.F15		10/03/2016	<input type="checkbox"/>			Summary: Appendix 1 – Settlement Allocations - FC45
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Source: Type: Not duly made Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016

Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: This representation is not considered to be duly made as it does not relate to a specific Focussed Change. Objections were made to the Deposit LDP in relation to housing site allocation P06 HA1, so this matter will be considered by the Independent Planning Inspector conducting the examination into the soundness of the Powys LDP.

However, with regards the alternative site proposed, allocating sensitive development such as housing within a flood risk zone is against national guidance (TAN15) and this new Representation does not present any new evidence to challenge the decision to include the Allocation of P06 HA1.

Council Response: 0

Question: 1 Representation Details

Representation Texts: We are objecting to the inclusion of candidate site 1108 Land at Llyswen adj B24 HA3 within the Powys LDP for the following reasons:

The Sites Status Master Deposit 2 2015 recommends removal of a brownfield site (candidate site 1118 Land adj B24 HA2) from the LDP in favour of a greenfield site (candidate site: 1108 Land at Llyswen adj B24 HA3). The brownfield site would be a far more suitable site for development as part of the site already has planning permission (although

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6416.F15 10/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45

Source: Type: Not duly made Mode Written Status Maintained

lapsed), if further away from the gas pipeline, is partial allocated within the development limits on the UDP. Site 1118 is identified as having possible Land contamination (Amber) but according to focussed change Policy DM9 this should not be a reason to dismiss the site. This site status does not identify trunk road access (Green). The fact it is within the flood zone would however require further investigation but should not be the only reason to dismiss this site.

In addition the representor included the following text to be read in conjunction with the set of representations (logged as F1 to F15):

General comments to be actioned by the Council and shown to the Inspector: We would like to express our disappointment that the council's response to each of the representation authors are exactly the same despite the fact that each of the representations addressed different issues.

On face value it appears that the representations have not been considered in any depth looking at how the concerns will be or will not be addressed. The responses are very generic with no substance behind them. An example of this is where in the representations it has been pointed out that sites in Llyswen that have been approved and included in the previous LDP have yet to be developed. This raises the question why it is felt necessary to identify further sites within Llyswen for inclusion in the LDP. The response made to this query does not address any of the points raised in our initial representations, issues or questions. A considerable amount of time and effort went into our representations last year and we feel very strongly that the Council have already made the decision to include the proposed plot within the village boundary and that any points we have raised or concerns we have are not being taken into account.

Council note: Deposit Plan representations where logged to individuals as opposed to the current group representation, the following Representor reference numbers are therefore of note in connection with the above comments regarding earlier representations 6229; 6347; 459; 6319 ; 6258; 6297; 6306; 6304; 6295; 6299.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Remove candidate site 1108 Land at Llyswen adj B24 HA3 from the LDP and consider inclusion re-inclusion of 1118 Land adj B24 HA2.

Council Response:

0

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Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6423 Ashby, Mr Joshua

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6423.F1 15/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45 - Supporting P58 HA9

Source: Post or in person Type: Not duly made Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais
Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Your support for P58 HA9 is noted. Thank you.

Council Response: 0

Question: 1 Representation Details

Representation Texts: I support the development plan as currently there are not many houses locally to move into. This is causing younger people from the area to move away in search of somewhere to live.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Supporting Allocation P58 HA9

Council Response: 0

Page 303

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.105 Appendix 2 - Supplementary Planning Guidance and Development Briefs - FC46, FC47

78 Home Builders Federation Ltd

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

78.F13 11/03/2016 Summary: Appendix 2 - Supplementary Planning Guidance and Development Briefs - FC47

Source: Type: Comment Mode Oral (Examination) Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.126

Issue: 2015: Deposit Draft-03. Housing - Delivery and Infrastructure

Question Representation Texts

Question: Council Response

Representation Texts: These comments in relation to over-reliance of development briefs and implications of development briefs for delivery of housing are noted. Questions raised regarding the process have already been responded to in the Council's response to representation 78.F11.

Development briefs should be consistent with LDP policies and it is not possible to impose further controls over and above policies in the LDP, as is suggested by the Representor.

The Council had originally identified certain sites where it was anticipated that development briefs will be required in Appendix 1 of the Deposit Plan. Further allocations where it was anticipated that development briefs would be required were identified at Focussed Changes stage. These were identified in response to the Representors request at deposit stage for the need for development briefs in relation to specific sites to be identified in order to provide a degree of certainty (78.V2 and 78.V6). Appendix 1 has identified 15 allocations where it is anticipated that development briefs will be required and such sites have been carefully identified, taking into account the sensitivity and complexity of their locations and constraints. Policy E4 in relation to Bronllys Health Park also identifies the need for a joint development brief to be prepared with BBNP. The Council does not consider it necessary to reduce the number of sites identified.

The Council does not consider it to be necessary to produce further guidance on the key issues that need to be addressed in the development brief at this stage. The key issues will range from site to site. Guidance also exists on a national level, including DCLG 'Planning and Development Briefs: A Guide to Better Practice', within national planning policy guidance TAN 12 and also recent guidance published by the Welsh Government 'Site and Context Analysis Guide'.

Council Response: 0

Question: 1 Representation Details

Representation Texts: The HBF raise concern about the overreliance on Development Briefs and in particular the way in which they are proposed to be brought forward (see comments to FC23). Our concern is that this will delay development and reduce the number of houses delivered by the plan. It is also likely to put off smaller builders who are less likely to have the resources to prepare development briefs. It could also be the opportunity for the Council to impose further controls over and above the policies in the LDP through a process which would not be subject to the same public independent scrutiny as the LDP.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Re-assess the sites identified that require a development brief to try and reduce the number of briefs required. Where it is decided they are still required provide some guidance

25/04/2016

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

78.F13 11/03/2016 Summary: Appendix 2 - Supplementary Planning Guidance and Development Briefs - FC47

Source: Type: Comment Mode Oral (Examination) Status Maintained

on the key issues that need to be addressed.
 Provide further guidance on how the process of a developer led brief will work, particularly around its approval process by the Council.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: I wish to be able to speak about the comment I have raised above in the inquiry as it enables the issue to be discussed between all parties.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Comments on Development Briefs including request for further guidance.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 39.106 Appendix 3 - Monitoring Framework - FC48 - FC62

6235 CPRW Brecon & Radnor and Montgomery

Agent: **CPRW Brecon & Radnor**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F27 11/03/2016 Summary: Appendix 3 - Monitoring Framework - FC48 - FC62 - Objection

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Additional material submitted

Document:FC - Schedule of Focussed Changes Jan 2016, p.127

Issue: 2015: Deposit Draft-13.Plan Monitoring and Review

Question Representation Texts

Question: Council Response

Representation Texts: Your comments are noted. The Council does not envisage that any changes are required, however monitoring targets and actions may be subject to change as individual policies are considered by the Planning Inspector during the course of the Examination Hearings. Any subsequent amendments will then be addressed via the Matters Arising Changes.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Among our critical observations about monitoring, we noted that there was no monitoring of applications, planning department function or outcomes related to:

- natural heritage and biodiversity
- landscape
- tourism and rights of way assets
- intensive agriculture projects

No AMRs have been added to cover these topics and correspond to new policies set out in the focussed changes.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: We are resubmitting our comments on the monitoring material in the 2015 DDLDP

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: We request that the Inspector's attention is drawn to our previous objection about gaps in monitoring and we are able to discuss the major omissions we have identified.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6235.F27 11/03/2016 Summary: Appendix 3 - Monitoring Framework - FC48 - FC62 - Objection

Source: Email

Type: Objection

Mode Oral (Examination)

Status Maintained

Question: 4 Summary of Representation

Representation Texts: Objections to various aspects of Monitoring Framework

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6323 RWE Innogy UK Ltd

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6323.F6 10/03/2016 Summary: Appendix 3 - Monitoring Framework - Objection to FC61 AMR33

Source: Email Type: Objection Mode Written Status Maintained

Document:FC - Schedule of Focussed Changes Jan 2016, p.127

Issue: 2015: Deposit Draft-13.Plan Monitoring and Review

Question Representation Texts

Question: Council Response

Representation Texts: Your comments are noted. The Council does not envisage that any changes are required, however monitoring targets and actions may be subject to change as individual policies are considered by the Planning Inspector during the course of the Examination Hearings. Any subsequent amendments will then be addressed via the Matters Arising Changes.

Council Response: 0

Question: 1 Representation Details

Representation Texts: AMR33 – Renewable and Low Carbon Energy
 For the reason set out below, it is considered that LDP Monitoring Framework AMR33 in its current form fails to meet the Consistency (C2) and Coherence and Effectiveness (CE2) tests of soundness.
 • Core/Local Indicator: LDP Objective 5 applies only to micro (<50kW) and sub-local authority schemes (<5MW), so the “capacity of Renewable Energy developments (MW) installed inside Strategic Search Areas (SSAs) by type (TAN8)” cannot be used for monitoring this objective. TAN8 states that “large scale (over 25MW) onshore wind developments should be concentrated into particular areas defined as Strategic Search Areas” (July 2005, paragraph 2.2) so i) the inclusion of ‘by type’ would be pointless as most, if not all, would be onshore wind developments; and ii) the per annum target of 5MW and/or the LDP plan period target of 50MW could be met by a single application.
 • Source: It is not clear why “(non-wind)” has been inserted into the sentence on collating the capacity of developments within Strategic Search Areas. Given that AMR33 only relates to micro (<50kW) and sub-local authority schemes (<5MW), all reference to SSAs should be removed. Furthermore, AMR33 does not distinguish between types of renewable energy developments so there should also be no requirement to draw a distinction between whether developments are within or outside SSAs.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: AMR33 – Renewable and Low Carbon Energy:
 • AMR33 – Core / Local Indicator:
 o Delete “The capacity of Renewable Energy developments (MW) installed inside Strategic Search Areas by type (TAN8).”
 • AMR33 – Source:
 o Delete “This will enable the capacity of Renewable Energy (non-wind) development installed within Strategic Search Areas to be collated.”

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Objection to AMR33

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6323.F6 10/03/2016 Summary: Appendix 3 - Monitoring Framework - Objection to FC61 AMR33

Source: Email

Type: Objection

Mode Written

Status Maintained

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

LDP Document: 43 FC - Schedule of Focussed Changes An Addendum to the Powys Local Development Plan, Deposit Draft (

RefPoint: 43.23 Berriew - FC93

27 Clwyd Powys Archaeological Trust

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

27.F4 10/03/2016 Summary: Berriew - FC93

Source: Email Type: Comment Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016

Map: P4: Berriew- FC

Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments. The Council is in agreement that the Settlement Allocations Table (Appendix 1) could be revised to include the suggested wording in the issues column for site P04 HA1. It is therefore recommended that the following wording is added for consideration by the Inspector as a Matters Arising Change:

".....The site includes a number of canal related features. Development here may require prior archaeological intervention (consult and involve CPAT)."

Council Response: 0

Question: 1 Representation Details

Representation Texts: The allocation includes a number of canal related features. Development here may require prior archaeological intervention.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Note should be made of the above.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Request for additional information/text (archaeological matters) relating to site allocation.

Council Response: 0

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

1938 Vaynor Park - Estate Office, Berriew Agent: **Kembertons**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1938.F1 11/03/2016 Summary: Berriew - FC93

Source: Type: Support Mode Oral (Examination) Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016

Map: P4: Berriew- FC

Issue: 2015: Deposit Draft-11. Allocated Sites

Question *Representation Texts*

Question: **Council Response**

Representation Texts: Thank you for your comment, your support for the Focussed Change is noted.

Council Response: 0

Question: 1 **Representation Details**

Representation Texts: Wish to express support for the proposed change to allow residential development on the site to which FC93 relates.

This will provide housing in a large, sustainable, village, which has little chance of expansion elsewhere.

The plot can be easily developed, and is intended to come forward within the early years of the Plan period.

Council Response: 0

Question: 2 **Changes needed to the Focussed Change**

Representation Texts: No changes required.

Council Response: 0

Question: 3 **Reason for request to speak at hearing**

Representation Texts: I wish to ensure the LDP Inspector is aware of the need for housing development in Berriew and that the delivery of the site can be assured.

Council Response: 0

Question: 4 **Summary of Representation**

Representation Texts: Support for Focussed Change - Addition of site P04 HA1 - Berriew

Council Response: 0

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

5704 Glandwr Cymru - Canal & River Trust in Wales

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5704.F12 11/03/2016 Summary: Berriew - FC93

Source: Type: Comment Mode Oral (Examination) Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016

Map: P4: Berriew- FC

Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments.

Please note that the details in the settlement allocations table in Appendix 1 (pg 78 onwards in Schedule of Focussed Changes) include consideration towards Glandwr Cymru as an important stakeholder in the proposals to develop/re-develop this site. The Focussed Change wording inserted for proposed new site P04 HA1 (pg 106/107) reads: "Sensitive canal side site at gateway into village. Density has been reduced to reflect need for a canal buffer and presence/potential preservation of existing canal related buildings. Development will be required to demonstrate that a safe means of access can be created and a footpath connected to the existing footway network.Pre-application consultation with stakeholders advised - to include Glandwr Cymru - Canal and River Trust in Wales, heritage and ecology officers. *Project level HRA screening required - Montgomery Canal SAC (hydrological connections)".

As this text is considered to be comprehensive, the Council do not agree that any further amendments or changes are necessary in response to this representation.

The Council would add that many of the pertinent issues relating to this site will already have been discussed and flagged up through the planning history on the site (namely application reference M/2006/0947 - residential development 12 units, Canal Wharf, Berriew) and whilst these issues will understandably be updated and reviewed through any new planning application process, the sensitivity of the canal-side site and the HRA considerations are clearly not a new subject area which leads to the Council being confident that the issues can be adequately addressed so as to enable appropriate housing development on this allocated site.

Council Response:

0

Question: 1 Representation Details

Representation Texts: New Residential Allocation and Amendment to Development Boundary

Glandwr Cymru is surprised to note the inclusion of an additional site allocation as a focussed change and would advise as follows:

The site in question lies immediately adjacent to the Montgomery Canal and it is essential that we are fully consulted at an early stage in respect of any further development proposals on this site. HRA legislation must be complied with to ensure all potential impacts on the biodiversity of the Montgomery Canal Special Area of Conservation as a habitat for wildlife are assessed, including the European protected species of floating water plantain "luronium natans". Potential impacts include changes to the water quality as a result of surface water entering the canal both during construction and following completion, changes in shading of the waterway as a result of built development or landscape planting, and increased use of the waterway as a result of new development.

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

<i>Rep'n/Para/Policy</i>	<i>AccessnNo</i>	<i>DateLodgd</i>	<i>Late?</i>	<i>Status</i>	<i>Modified</i>	<i>Summary</i>
5704.F12		11/03/2016	<input type="checkbox"/>			Summary: Berriew - FC93
Source:		Type: Comment		Mode	Oral (Examination)	Status Maintained
Council Response:						0
Question: 2	Changes needed to the Focussed Change					
Representation Texts:	n/a					
Council Response:						0
Question: 3	Reason for request to speak at hearing					
Representation Texts:	n/a					
Council Response:						0
Question: 4	Summary of Representation					
Representation Texts:	Requesting further involvement/consultation regarding site allocation PO4 HA1.					
Council Response:						0

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6315 Natural Resources Wales

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6315.F17 11/03/2016 Summary: Berriew - FC93, P04 HA1

Source: Email Type: Comment Mode: Written Status: Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1313//P04 HA1 Land: to the east of the village, adj canal
 Map: P4: Berriew- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments. The Council is pleased to be alerted to potential development constraints that may impact on the nature and layout of any forthcoming development proposals. It is suggested that the following wording should be inserted into the issues column (Appendix 1) after the sentence "Pre-application consultation with stakeholders advised - to include Glandwr Cymru - Canal and River Trust in Wales, heritage and ecology officers" to be considered as a Matters Arising Change by the Inspector:

"There is a known water vole population (protected species) on the Canal. Development of the site will need to include a scheme which conserves the water vole population. Pre-application discussions with NRW should be conducted to ensure satisfactory mitigation measures are offered as an intrinsic component of the re-development proposals".

As an aside, the Council would add that the site has previously been subject to planning application M/2006/0947 where the importance of ecology and the development's potential impact upon protected species was carefully examined, including consideration as to the provision and management of a canal strip and the provision of a water vole protective barrier. These issues should therefore be well versed and not come as a surprise to interested parties although they will obviously need to be updated/reviewed as part of any new planning application process.

Council Response:

0

Question: 1 Representation Details

Representation Texts: FC 93 P04 HA1 Land to the East of the village, south of the road to Welshpool, North of the Canal We note that it is proposed to extend the existing development boundary to include land located directly adjacent the Montgomery Canal Special Area of Conservation (SAC). We note and agree with the conclusions of the updated HRA that being that no further HRA screening is required and that the allocation will have no effect on the outcome of the HRA. There is a known water vole population on the Canal. Water Voles are protected under the Wildlife and Countryside Act 1981. Any proposal to develop this land will need to include a scheme to effectively conserve the water vole population as an intrinsic component of the design brief. We consider that such a scheme would need to include a buffer area between the development site and the canal area. This is to ensure that developing the site will not have a detrimental effect on the maintenance of the favourable conservation status of water voles. As part of any scheme there would be a need to ensure ongoing management of such a buffer through provisions such as a ground rent service charge. Should this site be included as an allocation we would encourage pre-application discussions with NRW at the earliest convenience to ensure that the mitigation offered as an overall design component of the scheme is satisfactory to ensure no detrimental effect on the maintenance of the favourable conservation status of water voles.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Update Appendix 1 to reflect comments above.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 43.26 Bronllys - FC95, FC96

6348 Dwr Cymru Welsh Water

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6348.F8 11/03/2016 Summary: Bronllys - FC95 - Comment re site that was P07 HC2 but is now P07 HA3

Source: Email Type: Comment Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1280//P07 HC2 Land to rear of Greenfields Bronllys
 Map: P7: Bronllys- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments which are noted. As none of the comments result in any infrastructure constraints the Council considers no additional information needs to be included in the Infrastructure/Issues column of Appendix 1 for this site.

Council Response: 0

Question: 1 Representation Details

Representation Texts: P07 HA3 Commitment [P07 HC2] changed to allocation
 Rear of Greenfields, Bronllys
 A water supply can be provided to serve this site
 Our local sewerage network can accommodate foul flows from the proposed development site
 Talgarth WwTW can accommodate the foul flows from this proposed development site

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Comment re site that was previously P07 HC2 but is now an Allocation HA3. As such there is no new evidence effecting the Allocation.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 43.30 Caersws - FC96

27 Clwyd Powys Archaeological Trust

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

27.F5 10/03/2016 Summary: Caersws - FC96

Source: Email Type: Comment Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1314//P09 HC1 Part of Buck Hotel, Main Street, Caersws

Map: P9: Caersws- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: These comments are noted. However, these comments do not appear to be applicable given that the site already benefits from planning permission (P/2013/0834) for conversion for conversion of redundant commercial building to 5 no. dwelling units and associated works and there are no archaeological requirements in connection with this planning permission.

Council Response: 0

Question: 1 Representation Details

Representation Texts: The allocation lies within the Roman settlement of Caersws and is known to contain archaeological remains. Development here will require prior archaeological intervention and possibly post consent works.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Note should be made of the above.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Request for it to be noted that this site lies within the Roman settlement of Caersws and is known to contain archaeological remains. Development here will require prior archaeological intervention and possibly post consent works.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 43.33 Churchstoke - FC97, FC98, FC99

6315 Natural Resources Wales

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6315.F16 11/03/2016 Summary: Churchstoke - FC97 P12 HA1

Source: Email Type: Comment Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1315/751/P12 HA1 Land west of Fir House, Churchstoke
 Map: P12: Churchstoke- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments. The text in Appendix 1 (Settlement Allocations) for site P12 HA1 is currently proposed as:

Site lies within the Yr Ystog character area of the Vale of Montgomery Registered Historic Landscape depending on its size and nature any proposed development here may require assessing under the ASIDOHL2 as part of any planning application. Access works will be required to meet acceptable highways standards. Highways advise that access works should have regard to the potential residential use of land opposite. Ecological survey is likely to be required to inform enhancements.

The Council considers that the site's location within the Vale of Montgomery Historic Landscape is therefore duly covered and does not agree that any further changes to the Plan are necessary.

Council Response: 0

Question: 1 Representation Details

Representation Texts: P12 HA1 Land West of Fir House, Churchstoke
 The site is located within the Vale of Montgomery Historic Landscape Area.
 While this is not a statutory designation, chapter 6 (section 6.5.25) of Planning Policy Wales (PPW) states that information in the Register of Landscapes of Historic interest should be taken into account by local planning authorities in considering the implications of developments which are of such a scale that they would have a more than local impact on an area in the Register.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Update Appendix 1 to reflect comments above.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 43.40 Four Crosses - FC102, FC103

483 Llandysilio Community Council

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

483.F1 01/03/2016 Summary: Four Crosses - FC103

Source: Email Type: Not duly made Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1302//P18 EC1 Employment Land at Four Crosses Business Park

Map: P18: Four Crosses- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: This representation is not considered to be duly made. The comment is noted but the supporting reason for the update does not constitute part of the Plan itself - the actual Focussed Change (modification to the map) is correct and no further amendment is required.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Need to remove reference to Planning Application P2008/1351 as this related to residential development and was refused - not relevant.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Remove reference to P2008/1351

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Need to remove reference to Planning Application P2008/1351 - not relevant.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 43.42 Guilsfield - FC104

5843 Trevor, Mr T

Agent: **Carter Jonas (Shrewsbury)**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5843.F2 11/03/2016 Summary: Guilsfield - FC104

Source: Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016

Map: P20: Guilsfield- FC

Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comments.

The Council does not agree that Housing Land Allocation (Committed Site) - P20 HC1 - should be re-instated into the Local Development Plan. The Council disagrees that the Focussed Change goes against the spirit of positive planning. You will note that the site is now included as white land within the development boundary of Guilsfield and therefore carries a favourable presumption for development in recognition of the extant planning permission. The Council is of the opinion that the 46 units on Sarn Meadows may still come forward but there is a risk to their delivery by 2026. The LDP now reflects this risk but does not alter the fact that the site has an extant planning permission which could be fully implemented in due course.

The Council has set out it's evidence for the Focussed Change in more detail in representation response 5843.F1.

The Council considers that no changes to the Plan are necessary in response to this Focussed Change representation.

Council Response:

0

Question: 1 Representation Details

Representation Texts: We object to:
Proposed Focus Change FC104
Schedule of Focussed Changes
Guilsfield P20 HC1

The document states that:
Due to updated evidence on the site constraints and flood risk mitigation requirements which result in abnormal costs to development leading the Council to have fundamental concerns over the likelihood of delivery within the Plan period. (Rep. No. 5843.V1).

The site has consent for 46 dwellings with an affordable housing provision of 14 units (Appeal Ref: APP/T6850/A/05/1184523).

In 2012, the landowner implemented the consent and at this time, NRW requested additional

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

5843.F2 11/03/2016 Summary: Guilsfield - FC104

Source: Type: Objection Mode Oral (Examination) Status Maintained

modelling for a revised flood mitigation strategy. A specialist firm was appointed to undertake quantitative analysis to assess the flood risk issues of the site including hydraulic calculations and modelling. An approved revised mitigation strategy including a bund, an embankment and partial raising of the land was agreed with NRW and Powys Council following several months of detailed analysis.

Following the implementation of the planning consent and the resolution of the mitigation strategy with NRW, the Site has been marketed for sale on the Carter Jonas website (www.carterjonas.co.uk), Rightmove (www.rightmove.co.uk), Onthemarket (www.onthemarket.com) and Harry Ray (www.harryray.com).

The marketing exercise has resulted in developers expressing an interest in the site, but unfortunately this has not culminated in a sale. Reasons include the abnormal development costs coupled with the high level of caution expressed by developers in the present market conditions. Market stability for residential development has seen improvement since the recession, but such growth is predominately focussed in London and the South East of England. More locally, in Shropshire, market conditions have improved, but developers are predominately concentrating sites in the main market town of Shrewsbury with limited appetite for the outlying market towns including Market Drayton and Wem. Generally, we have found as a national firm of Chartered Surveyors that developers in this area tend to favour projects in Shrewsbury as opposed to crossing the border in to Powys. Presently, the appetite for development for sites in the Welshpool and Guilsfield area is justifiably limited.

This restriction with regards housing development is a concern, particularly as Guilsfield is a popular and desirable location in need of additional homes, both open market and affordable. We submitted a pre-application consultation to assess the Council's view of effectively 'land swapping' the permitted development site for the land that sits to the North. It was our intention that this would perhaps provide for a 'cleaner' site than that presently permitted. However, this is still all speculation as the market forces will ultimately dictate whether a developer will build out a scheme. The restriction of selling this site is therefore not solely due to the abnormal costs. Interestingly, we are currently in talks with a developer who is interested in the development site, so perhaps this is a positive step towards greater market certainty in Guilsfield? We are very much hoping that our discussions culminate in a sale, but it would be un-professional of us to guarantee such delivery at this stage.

In returning to the pre-application enquiry, this should not result in the Focussed Changes; FC104 and FC45 of deleting The Site. The reason for this is two-fold. Firstly, the site has an implemented planning consent. Secondly, the site does have constraints with regards abnormal costs, but as explained, market conditions for housing growth are limited in the area. This is not a specific problem to this site; it is a County/Regional issue which makes the deletion of this site from the LDP an unsound decision which is clearly not based on evidence.

It is therefore considered that the LDP Focussed Changes (FC104 and FC45) have not been

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

5843.F2 11/03/2016 Summary: Guilsfield - FC104

Source: Type: Objection Mode Oral (Examination) Status Maintained

prepared in the spirit of positive plan making required under Planning Policy Wales and accordingly the deletion of the Sarn Meadows development site is unsound as it is not based on an evidential response. Indeed, the market conditions issue could be tied to a number of sites in Powys.

The Welsh Government are working hard to encourage and boost housing supply and to help try and ensure that planning authorities maintain a 5-year supply of readily developable housing land in their areas, the Welsh Government published the revised Technical Advice Note 1 (TAN1) on preparing Joint Housing Land Availability Studies ('JHPAS'). The Welsh Government and Home Builders Federation also pledged to increase housing supply, with a pact to work in partnership also with local authorities and others to increase the supply of new homes in Wales, and that also promises to maximise the local jobs and training opportunities created by the construction industry. The above legislation, coupled with the Planning (Wales) Act 2015 all count towards planning 'positively'.

In assessing the key tests of soundness, it is considered that the Focused Changes: (FC104 and FC45) are unsound as:

- 1 The Focussed Changes have not been positively prepared and therefore The Plan has not been positively prepared
- 2 The Focussed Changes are not justified and therefor The Plan is not justified.
- 3 The Focussed Changes are not based on robust and credible evidence and therefore The Plan is not based on robust and credible evidence
- 4 The Focused Changes are not flexible and do not account for the true nature of the development site and housing land availability within Guilsfield. Therefore The Plan is unsound.
- 5 The Focused Changes are not consistent with National Policy as they are not 'positively prepared' and therefore The Plan is unsound.

In summary, Focused Changes (FC104 and FC45) should not be accepted and the development site at Guilsfield should be reinstated in The Plan.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Focused Changes (FC104 and FC45) should not be accepted and the development site at Guilsfield should be reinstated as a site with 'Implemented Planning Consent' in The Plan.

Council Response:

0

Question: 3 Reason for request to speak at hearing

Representation Texts: - Guilsfield Housing Allocations -

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

<i>Rep'n/Para/Policy</i>	<i>AccessnNo</i>	<i>DateLodgd</i>	<i>Late?</i>	<i>Status</i>	<i>Modified</i>	<i>Summary</i>
5843.F2		11/03/2016	<input type="checkbox"/>			Summary: Guilsfield - FC104
Source:		Type: Objection		Mode	Oral (Examination)	Status Maintained
----- - Development Site P20 HC1 (Known as Sarn Meadows) Easting: 322197 Northing: 312031 - Focused Changes (FC104 and FC45)						
Council Response:						0

Question: 4 Summary of Representation

Representation Texts: Objection to the removal of housing site allocation P20 HC1 (known as Sarn Meadows).

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6315 Natural Resources Wales

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6315.F11 11/03/2016 Summary: Guilsfield - FC45 - P20 HA1

Source: Email Type: Support Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1245//P20 HA1 Land adj Celyn Lane
 Map: P20: Guilsfield- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your comment, your support for the Focussed Change is noted. The Council appreciates the clarification provided in your response regarding NRW's satisfaction with the conclusions of the HRA in relation to the Granllyn SAC.

Council Response: 0

Question: 1 Representation Details

Representation Texts: P20 HA1 – Land adjacent Celyn Lane, Guilsfield
 We are pleased that the Plan now identifies that development of this site will need to include appropriate mitigation measures to ensure no likely significant effects on Granllyn SAC and that consultation with NRW is encouraged at the earliest opportunity during the site design stage and scope of protected species surveys including GCN surveys discussed. To this effect we are also satisfied with the conclusions of the HRA in relation to the Granllyn SAC that being that the plan is not likely to have a significant effect.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response: 0

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 43.44 Howey - FC105

6348 Dwr Cymru Welsh Water

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6348.F9 11/03/2016 Summary: Howey - FC105 - Comments re site that was P22 HC1 but is now an Allocation P22 HA2

Source: Email Type: Comment Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1289//P22 HC1 Land adjacent Goylands Estate
 Map: P22: Howey- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: This comment confirms that the water and sewerage infrastructure serving this site is adequate. It is noted that the site is crossed by a sewer and protection measures in the form of easement widths or a diversion of the pipe would be required, which may impact upon the density achievable on site. This information has been provided in Appendix 1 of the LDP. This representation supports this LDP allocation.

Council Response: 0

Question: 1 Representation Details

Representation Texts: P22 HA1 Commitment changed to allocation Goylands Estate, Howey
 A water supply can be provided to serve this site.
 Our local sewerage network can accommodate foul flows from the proposed development. Potential developers need to be aware that the site is crossed by a sewer and protection measures in the form of easement widths or a diversion of the pipe would be required, which may impact upon the density achievable on site.
 Llandrindod Wells Wastewater Treatment Works (WwTW) can accommodate the foul flows from this proposed development site.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Comment re site that was P22 HC1 but is now P22 HA2. As such there is no new evidence that effects the Allocation

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 43.46 Knighton - FC67, FC68

4786 Powys County Council, Highways Transport and Re

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

4786.F4 11/03/2016 Summary: Knighton - FC67,

Source: Type: Comment Mode Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016

Map: P24A: Knighton - FC

Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Thank you for your Representation. It is agreed that access via Knucklas Road is not acceptable in terms of Highways geomtery gradient and visibility. However alternative access to the site is possible from the southern boundary and it is therefore a suitable site for inclusion within the development boundary. Therefore the Council does not consider that further changes are necessary.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Access to this land is totally unsuitable in terms of geometry, gradient and visibility and the site does not include sufficient land across the highway frontage to achieve the improvements necessary.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Remove the area from within the Development Boundary.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Access to the site is unsuitable.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 43.48 Knucklas - FC108

27 Clwyd Powys Archaeological Trust

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

27.F6 10/03/2016 Summary: Knucklas - FC108

Source: Type: Comment Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016

Map: P25: Knucklas - FC

Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: These Comments are noted. However, these comments do not appear to be applicable as the site has a valid outline planning permission (RAD/2005/0555) for residential development of 6 no. dwelling units granted on 9 October 2013 and there are no archaeological requirements in connection with this planning permission.
<http://planning.powys.gov.uk/portal/servlets/DecisionNoticesServlet?ref=RAD/2005/0555>

Council Response: 0

Question: 1 Representation Details

Representation Texts: The allocation contains the sites of railway related features. Development here may require prior archaeological intervention and possibly post consent works.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Note should be made of the above.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: Written only.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Request for additional information/text (archaeological matters) relating to site allocation.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 43.52

1552 Douglas Hughes Architects Ltd

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Status	Modified	Summary
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1552.F1//H4		11/03/2016	<input type="checkbox"/>			Summary: Policy H4 - Affordable Housing Contributions - FC24
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Source:	Type: Objection	Mode: Oral (Examination)	Status: Maintained
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Document:FC - Map Schedule of Focussed Changes Jan 2016, p.47

Policy: H4 Issue: 2015: Deposit Draft-04. Housing - Affordable Housing

Question	Representation Texts
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Question:	Council Response
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Representation Texts:	Thank you for your comments which are noted. However, following representations on the Schedule of Focussed Changes including those made by Welsh Government and the points raised by the Inspector in her letter of 5 April 2016 the Council is producing further work to more clearly explain the rationale behind the housing requirement and housing provision figures and is also undertaking a review of the Viability Study. These topics are clearly linked to the Plan's strategy for the delivery of affordable housing which the Council will also need to clarify in updated papers in due course.
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Please note that any further changes to the LDP which may result from this additional work will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response: 0

Question: 1	Representation Details
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Representation Texts:	Nb. Council notes 1. representation received from agent on behalf of site owner (representor 4849). 2. Rep Form quotes FC R 34.52 – Policy H4 and para 4.6.13 - assumed to mean rep point 39.52 and FC24. Justification text 4.6.13 remains as Deposit Plan and is not subject to a Focussed Change.
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Rep text follows:

An objection is submitted to Focussed Change R 34.52, relating to Policy H4 which seeks to increase the percentage of affordable housing contributions on sites in Central Powys from 20% as required in the 2015 Deposit Plan to 30%.

This is considered to be excessive for the following reasons:

- Lack of firm justification on viability grounds
- Reduction in overall housing requirements
- Reliance on windfall sites
- Previous under delivery of affordable housing

Each of these is considered in turn below.

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1552.F1//H4 11/03/2016 Summary: Policy H4 - Affordable Housing Contributions - FC24

Source: Type: Objection Mode Oral (Examination) Status Maintained

Lack of firm justification on viability grounds:

The Affordable Housing Topic Paper (Revised – January 2016) points to evidence on viability in the LDP Topic Paper – Phasing and Delivery of New Housing Provision (also January 2016). Annex 1 of this document only contains 4 justifying paragraphs, two of which are quoted below which state that:

The Powys Local Development Plan Community Infrastructure Levy Viability 2014 Assessment (the Assessment) examines the state and conditions of the housing market in Powys and in so doing predicts the viability of new housing sites. Based on average house prices the Assessment sub-divides the county (excluding the Brecon Beacons National Park) into four areas with common market characteristics: Rural North, Severn Valley, Central and the South West.

Viability data shows that 79% of the allocated LDP sites are coloured green which indicates that the majority of identified sites are currently viable financial propositions. Only 18% of the sites are red with just under 50% of those being located in the South West area and only 3% are amber. These are positive factors for the deliverability of the Powys sites during the Plan period as market conditions improve.

The information on which the percentage rise was based, therefore was derived from work which related to the CIL rather than affordable housing specifically, and which was carried out in 2014 when market conditions were anticipated to improve. It is apparent that these market conditions have not perceptively improved in the interim period and growth remains slow, particularly in a Powys context. Certainly the evidence which has been presented does not merit such a large, 10% increase.

Reduction in overall housing requirements:

It is noted that the overall LDP Affordable Housing Target has increased via the Focussed Changes (R 34.15) from 1,044 to 1,257. However, the overall dwelling requirement has been reduced from 5,519 in the Deposit Plan, to 4,500 in the Focussed Changes.

Paragraph 3.3.14 refers to the projected need of 4,087 as a starting point. It is stated that the need exists to increase this due to a combination of local factors, including delivery of affordable housing.

If the overall housing requirement is reduced there will invariably be a smaller proportion of affordable housing which can be provided. This points to an inconsistent approach by the Council and also suggests that a rise in the requirement in Central Powys is being applied on an apparently random basis to seek to compensate for a lower proportion of affordable housing on a reduced housing target. This is particularly apparent given that the proportion of affordable housing has risen to 28% of LDP dwelling requirements, compared with 19% in the Deposit Plan.

It is noted that this data has not been sanctioned by the Strategic Housing Partnership or Powys County Council.

Reliance on windfall sites:

A windfall allowance of 960 dwellings has been included in the Focussed Changes Table H2. While this is marginally lower than the figure of 1,008 included in the Deposit Plan, it represents 15.66% of the overall provision of 6,129, and 21% of the revised housing target of 4,500.

The high proportion of contributions from unidentified sites does not provide any certainty regarding the delivery of affordable dwellings, and it points to the need for additional sites to be specifically identified as allocations, or in the case of land at Tai Ar Y Bryn, Builth Wells, extensions to proposed housing land allocations.

Previous under delivery of affordable housing:

A large proportion of housing land allocations in the adopted Unitary Development Plan have yet to come forward, including a number of sites in Builth Wells, which we have commented on in previous LDP representations.

It is noted that, from April 2011, the base date of the LDP, until April 2015, a period of 4 years, only 169 affordable dwellings have been constructed throughout the county the majority of which by registered social landlords.

Despite the UDP not having specific percentage targets for affordable housing, it is clear that policies have not delivered. An opportunity exists in the LDP to ensure that the right sites are allocated, and that policies encourage housing delivery in overall terms, which will also increase associated affordable housing provision.

As it stands, the imposition of a requirement for a high proportion of affordable housing in the core area of Central Powys, is likely to deter developers indeed historically this has been the case. The emphasis should therefore be to promote the take up of sites in order to address the issues associated with under provision of house builds in previous years.

It can be concluded that the rise in the percentage of affordable housing required from sites in Central Powys, from 20% in the Deposit Plan, to 30% in the Focussed Changes, has not been applied on the basis of any sound or consistent reasoning, and could have an impact on future viability and deliverability. This has been proven within the lifespan of

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1552.F1//H4 11/03/2016 Summary: Policy H4 - Affordable Housing Contributions - FC24

Source: Type: Objection Mode Oral (Examination) Status Maintained

previous plans that have failed in this regard.

Rather than adopting this measure for seeking to increase affordable housing provision, further consideration should be given to additional site allocations, or, as in the case of the allocated site at Tai Ar Y Bryn, Builth Wells, including additional land for development to increase the number of affordable dwellings provided or by applying a more flexible site by site approach to the delivery of appropriate housing based on specific identified local need.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Maintain the affordable housing requirement in Powys at 20%

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: Presentation of viability evidence.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Affordable Housing Contributions in the Central Powys Area.

Council Response: 0

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 43.59 Llangynog - FC110

5934 Keenan, Mr Graham

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5934.F1 11/03/2016 Summary: Llangynog - FC110

Source: Post or in person Type: Objection Mode Oral (Examination) Status Maintained

Petition of 40 signatures

Additional material submitted

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 561/561/P34 HA1 Llangynog Glebe, Llangynog

Map: P34: Llangynog - FC

Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: A Flood Consequence Assessment has been requested for this site to demonstrate if there will be a risk to flooding elsewhere. The outcome of the assessment will determine any changes that need to be made to allocation P34 HA1.

Any further changes to the LDP which may result from the FCA will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response:

0

Question: 1 Representation Details

Representation Texts: On 11 February 2016 a meeting of concerned residents met to discuss concerns that this proposed road cutting a cross the flood plain for the Afon Tanat would exacerbate flooding on the B4391 and threaten properties close to the river. Sixteen attendees at the meeting requested that their names be attached to this objection. (See attachment E). Following this meeting local resident R. Walford collected a petition of forty signatures of villagers similarly concerned about increased flooding as a consequence of this proposal (See Attachment F).

Concern about flooding is based on the present situation when floods occur regularly on the B4391 to a level, which often causes smaller private vehicles to stall and become stranded. This road is the main trunk road between Oswestiy and Bala for private, tourist and heavy commercial traffic and the village's link to the east, south and north. A road across the flood plane is bound to provide a barrier leading to increased build up on the riverside. Proposed new housing on the edge of the floodplain will of course reduce the soak away area next to the plain therefore increasing the run off during heavy rain. As can be seen from Attached photo A & B the present bridge cannot cope from increased flow on these occasions. This situation not only affects the road access but also increases the level of threat, in an area that requires a lowering of threat to riverbank properties beyond any safe level. It is very difficult to see 'post development volumes and peak flow rates are maintained for the Green field site' (Policy DM2.2.6).

NB The Natural Resources Wales Flood map presumably used to inform this decision are not accurate as evidenced by a number of photographs provided over the years and observational evidence. (See attached photos C, D and record G)

In addition to the above major points I would like to make the following points on a personal basis

a) There is no proven reason why the road from St Cynog's Church to St Melangell's Church cannot serve a development within the present development boundary. I would refer you to the proposal to use this road to serve a development of 10 houses in 2007. The Officer Appraisal discussing road access found highway safety objections were 'insufficiently 'robust'. The officer went on to suggest there was scope for safety schemes in the village to mitigate concerns.

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

5934.F1 11/03/2016 Summary: Llangynog - FC110

Source: Post or in person

Type: Objection

Mode Oral (Examination)

Status Maintained

b) Llangynog's viability is very dependent on visitors. This road will spoil the village landscape presented to travellers and occupants as they enter the village. The views up the Tanat Valley is valued by all. Walkers and cars often stop to take in the view. A modern road will overwhelm the image of the old village.

c) Council policy is to avoid the loss of the best agricultural land. This development will take a large part of the field at present providing quality grazing for sheep and cattle through the majority of the year. Also safe areas during times of flood will be removed

d) This road is likely to have a significant adverse effect on the make up of its population. Continuing the decline in traditional Welsh culture, language in particular.

Further Information submitted:

9 photographs

A- D Further 4 annotated photographs

E - List of signatures supporting the representation.

F - Signatures of residents objecting to the proposed road

G - Records of flooding in Llangynog Zine C2

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: In 2014 36.7% of the village's population speak Welsh a drop of 14% since 2001. This road is likely to facilitate an influx of non wels speakers at a time when local long term residents are being refused permission to build on their own land due to traffic restrictions at the Church Junction. This is not in line with policy. The introduction of traffic calming devices such as Chokers, which are curb extensions that narrow the roadway to a single lane at points would seem to be an improved way forward more in the villages interest overall interest.
 1) No increased flooding
 2) Village image protected, protecting important tourist business
 3) More likely to suit long term residents

Council Response:

0

Question: 3 Reason for request to speak at hearing

Representation Texts: lo respond to flood survey results when available. Suggest alternative strategies to provide access

Council Response:

0

Question: 4 Summary of Representation

Representation Texts: Objection to the Focussed Changes in Llangynog - to move the development boundary and amendment to the text in Appendix 1, to direct the access to allocation P34 HA1 further south outside of the development boundary (cutting across an area of the TAN15 C2 zone).

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6388 Parnell, Mrs Pam

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6388.F1 10/03/2011 Summary: Llangynog - FC110 and FC45

Source: Post or in person Type: Objection Mode Oral (Examination) Status Maintained

Petition of 35 signatures Additional material submitted

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 561/561/P34 HA1 Llangynog Glebe, Llangynog
Map: P34: Llangynog - FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: A Flood Consequence Assessment has been requested for this site to demonstrate if there will be a risk to flooding elsewhere. The outcome of the assessment will determine any changes that need to be made to allocation P34 HA1.

Any further changes to the LDP which may result from the FCA will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response:

0

Question: 1 Representation Details

Representation Texts: This is an objection to the Focussed Changes and refers to FC45 and FC110. Reference in the text in Appendix 1 and its subsequent map which moves the access road further south out of the development boundary and into a C2 Zone (Flood Plain). Positioning of the proposed road across the existing floodplain would have far reaching consequences. As things stand at this moment in time the existing flood plain breaches the B4391 road and floods the fields on the other side thus cutting off the village, making the road impassable as many motorists have discovered to their detriment (see A2, A5, A6, A7 and A11 attached). Any building on the said piece of land is likely to exacerbate the problem.

The most serious threat however is to the properties lying to the southernmost side of the proposed new road and are nine freehold properties being of cedar construction and being single storey. Of these nine, five are lived in permanently and two are holiday homes and two are holiday lets which are used all year round. If these properties were to flood they would become inhabitable and the contents would be ruined as there are no stairs up which property can be carried out of harm's way which is the environment agencies advice. As a resident at number 1, Glen Pennant Chalets for the last 16 years, and directly opposite the floodplain, Mrs Parnell has received countless flood warnings issued by the environment agency and enclosed is a list of flood warnings issued to Mrs Parnell over the last ten years.

These properties border the river Tanat. Although built higher than the land on the opposite side of the river, they do, several times a year come under threat from flood water. During the summer months the river lies approximately 2.1m below the boundary wall to these properties but when the river is in spate it comes up to within 10-20 cms off the top of that wall (see photographs dated 30/11/2015). The B4391 road bridge which allows access to the village often becomes blocked with fallen trees and debris washed down river and the river comes up to 10-20cms from the top of the arch. Mr and Mrs Smith who live at The Old Ebenezer Church on the bridge have had umpteen people stranded during the floods and have accommodated them by allowing use of their telephone, providing cups of tea and even feeding people at times. They and Mr Parnell have removed dead trees, dead sheep etc.. from the flood waters which have blocked the bridge in order to allow water to escape.

Enclosed is the official environment agencies flood map plan. The circle indicates where the access would be and was marked by the planning officer. The flood plain map is in fact incorrect as the enclosed photographs will attest (See A1 & A10). The photographs show that the flood waters go considerably higher than the map indicates and in fact shows that even the original proposals would put the road in the flood plain.

Because the village is cut off when the road floods which is several times a year there is a worry that emergency services will not get through in case of an emergency as it is and any further flooding caused by building a road across this flood plain is likely to add to this.

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6388.F1 10/03/2011 Summary: Llangynog - FC110 and FC45

Source: Post or in person Type: Objection Mode Oral (Examination) Status Maintained

The proposed access road would have to be at least level with the existing B4391 and would not only lie in the flood plain itself and thus make the properties it is supposed to serve inaccessible but would also act as a dam across the field and would not allow waters to flow forward to the full length of the floodplain and would in fact bring water back into the river and then almost inevitably flooding Glen Pennant Chalets and threatening other properties and the bridge itself. If the new access road was not raised then it would lie even deeper in the flood waters making the properties even more inaccessible yet would still be a threat to the existing properties because of the sheer volume of hardcore that would have to be put down which would prevent proper drainage.

The photographs we are submitting show quite clearly how severe flooding is and virtually every resident in Llangynog can testify this. Mrs Hazel Owen who farms here and who's cattle and sheep graze on the flood plain have lived here for over 50 years can testify to the level of water regularly reaching the northern end of the field by the row of cottages and Mrs Stella Bolton who now lives in Y Dderwen School Lane but was born in Bank House which is one of the houses joining the B4391 at the northern end of the field can testify to the same. Mr Michael Atherton of Pen Derw, Llangynog and the owner of number 2 and number 3 Glen Pennant Chalets and has lived in Llangynog for 15 years had his car destroyed by flood waters and can testify how close the flood waters came to breaching the existing wall surrounding his properties and to the extent that the flood waters reach the northern end of the field Mr Ian Dicken who lives in 5 Glen Pennant Chalets can testify to the same.

Mr Atherton has submitted pictures to show the extent of the flooding.

Ms Sue Mackay and Mr Peter Warhorse previously of Cae Golgsa (Field View) and now living at Foxley House, Ryton, Shrewsbury SY5 7LN had a clear view of the extent the flood plain reached towards their property. They will testify to this and enclosed are pictures taken by them during the nine years they lived here.

The proposed changes fly in the face of advice given by the environment agency and Powys own requirements in relation to building on flood plains. In fact of all the sites considered in the Local Development plan for Llangynog this is the only site where you can definitely say that flooding would have a major impact and the question has to be asked why other sites have been rejected because of the fact they lie in flood zones yet this site has been deemed suitable?

In conclusion, in light of the flooding that has wreaked havoc to properties across the country in the last 6 months it seems inconceivable that anyone would consider putting an access road to new homes that would be inaccessible on many occasions and would also threaten existing properties that would inevitably mean making people homeless. See copy of article in Tannat chronicle.

Enclosed:
 Article from Tannant Chronicle (March 2016)
 Map of allocation, highlighting the access point and the TAN 15 C2 zone
 List of representatives this representation is being submitted on behalf of
 A history of flood alets in the area
 Photographs

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: For access road to the housing allocation not to cut across the flood plain.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Consultation Report Appendix 4: FC Representations & Council Responses

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6388.F1 10/03/2011 Summary: Llangynog - FC110 and FC45

Source: Post or in person

Type: Objection

Mode Oral (Examination)

Status Maintained

Representation Texts: I wish to speak to explain my personal circumstances, my home and my husbands livelihood, all of which will be affected by the proposal. Also I am speaking on behalf of others and how it will affect them.

Council Response:

0

Question: 4 Summary of Representation

Representation Texts: Objection to the access road to serve P34 HA1 going across the flood plain.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6401 Gibbs, Carol & Paul

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6401.F1 25/02/2016 Summary: Llangynog - FC110

Source: Email Type: Objection Mode Written Status Maintained

Additional material submitted

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 561/561/P34 HA1 Llangynog Glebe, Llangynog
 Map: P34: Llangynog - FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: A Flood Consequence Assessment has been requested for this site to demonstrate if there will be a risk to flooding elsewhere. The outcome of the assessment will determine any changes that need to be made to allocation P34 HA1.

Any further changes to the LDP which may result from the FCA will be recommended to the Inspector as amendments that could be addressed via Matters Arising Changes.

Council Response:

0

Question: 1 Representation Details

Representation Texts: Objection to Llangynog Glebe Site S61 Proposed Development P34 HA1.

The new proposed road to this development crosses a field which historically floods all the way across to the corner directly in front of bank house on White Street. We have witnessed this flooding on numerous occasions since our ownership in 2005, and enclose photographic evidence from September 2008 to show the typical regular extent of the flooding. We believe an access road anywhere on this field would create a barrier to change the historic pattern of flooding; there would be a resulting unacceptable increased flood risk to properties on White Street, and also to the chalets and property on the bank of the river on the other side of the bridge, plus the B4391 itself. The B4391 itself regularly floods along the stretch where the proposed access road would meet it, as demonstrated by enclosed photographic evidence.

Also, to create a level junction to meet the B4391 the level of the proposed road will need to be raised above the level of the surrounding field at that end. This will have the effect of trapping floodwater into the corner of the field in front of White Street, thus preventing natural drainage (from what can already be a very boggy area). We strongly believe this will damage the retainer for White Street, White Street itself, and could impact the properties themselves.

- Your schedule of Proposed Focussed Changes Jan 2016 (Document no39 page 27) states "Any development that unacceptably increases risk "(of flooding)" will be refused.
- In the same document (page 128) you state a target of "no loss of flood plain". Clearly the photographs (enclosed) show that the floodplain would be lost with this development.
- Any proposed development across this field should be refused by your own criteria, as well as concerns from owners/residents regarding the obvious increased flood risk to existing properties.

Enclosed - 2 photos from Sept 2008

Council Response:

0

Question: 2 Changes needed to the Focussed Change

25/04/2016

Consultation Report Appendix 4: FC Representations & Council Responses

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6401.F1 25/02/2016 Summary: Llangynog - FC110

Source: Email

Type: Objection

Mode Written

Status Maintained

Representation Texts: We believe the development should be smaller and should be accessed from the road directly alongside, which then joins the B4391 at the junction next to the Tanant Valley Inn / Church and opposite the New Inn. The visibility when exiting this junction is already extremely good in both directions - please come and see - and a development of fewer houses would not create a significant increase of traffic at the junction. Consideration should be given to the fact that this junction already successfully serves a large number of properties, in addition to the village community centre/shop plus St Melangells Church and centre. If there are any concerns about the junction, these could surely be addressed with appropriate traffic calming measures for the benefit of all users of the junction.

Council Response:

0

Question: 4 **Summary of Representation**

Representation Texts: Concerns the access to serve the allocated site will increase flood risk elsewhere. Propose that we allocate the site for fewer dwellings and move the access to the north.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 43.81 Newtown - FC75, FC76

27 Clwyd Powys Archaeological Trust

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

27.F2 10/03/2016 Summary: Newtown - FC75

Source: Email Type: Comment Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1308//P48 HC10 1 Wesley Place, Newtown

Map: P48H: Newtown- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: These comments are noted. However, these comments do not appear to be applicable given that the site already benefits from planning permission (P/2014/0144) for conversion of night club (suis generis) use to create 6.no residential units (Class C3) and there are no archaeological requirements in connection with this planning permission. Furthermore, the development relates to the first and second floors of the building only and would not involve works at ground level and therefore is unlikely to have implications for archaeology in this area.

Council Response: 0

Question: 1 Representation Details

Representation Texts: The allocation lies within the defined core of the historic settlement. Development here may require prior archaeological intervention

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Note should be made of the above.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Request for it to be noted that this site lies within the defined core of thee historic settlement and therefore that development may require prior archaeological intervention.

Council Response: 0

Consultation Report Appendix 4: FC Representations & Council Responses

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Status	Modified	Summary
27.F3		10/03/2016	<input type="checkbox"/>			Summary: Newtown - FC76
Source: Email		Type: Comment		Mode		Written
				Status		Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016

Site: 1307//P48 HC8 Former Magistrates Court and TA Building,

Map: P48H: Newtown- FC

Issue: 2015: Deposit Draft-11. Allocated Sites

Question *Representation Texts*

Question: **Council Response**

Representation Texts: These comments are noted. However, these comments do not appear to be applicable given that the site already benefits from planning permission (P/2013/0891) for conversion flats and erection of a building for flats, and that a condition was attached to the permission to secure a level 2 archaeological study, which was on the recommendation of the Clwyd-Powys Archaeological Trust.

Council Response:

0

Question: 1 **Representation Details**

Representation Texts: The allocation lies within the defined core of the historic settlement. Development here may require prior archaeological intervention

Council Response:

0

Question: 2 **Changes needed to the Focussed Change**

Representation Texts: Note should be made of the above.

Council Response:

0

Question: 4 **Summary of Representation**

Representation Texts: Request for it to be noted that this site lies within the defined core of thee historic settlement and therefore that development may require prior archaeological intervention.

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

5611 Re, Paolo

Agent: **Berrys**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5611.F1 11/03/2016 Summary: Newtown - FC75

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Additional material submitted

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 483/483/P48 MUA1 Land at St Giles Golf Club, Newtown

Map: P48H: Newtown- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Housing land provision

1) It is noted that the loss of the mixed use allocation P48 MUA1 proposed under FC74 leads to a reduction in allocated housing numbers in Newtown. However, it is considered that sufficient housing land remains available for within the settlement of Newtown to meet the future requirements of the town. Additional commitments (P48 HC8 and P48 HC10) have been identified. Furthermore, commitment P48 HC8 is currently under construction and is partially complete, and other commitments, including P48 HC2 and HC9, are also under construction or are completed or partially completed, for example P48 HC1, HC2 and HC3. There is therefore evidence of delivery on the ground in Newtown. There are also opportunities for infill within Newtown in the form of vacant plots and flat conversions.

2) In response to the comments relating to the deliverability of commitment P48 HC6, FC45 notes that an overflow car park has been built, however this is not considered to preclude the development of the approved affordable housing scheme at this site, which could proceed under the 1997 permission. The overflow car park has not been constructed to serve the new Pentecostal Church currently being built, it was constructed in 2009 and before the redevelopment plans for the Church which were approved in 2014. This overflow car park is not relied on in terms of the parking needs of the Church and is not conditioned as such as part of planning permission P/2013/0791 for redevelopment of the site. The Officer's report for planning application P/2009/1181 which sought retrospective planning permission states that the owner intends to construct remaining dwellings when the market picks up (following economic recovery from recession). The Council continues to consider that the scheme can be delivered and that it should be allocated in the Plan.

3) In response to the comments relating to the deliverability of allocation P48 HA4 (previously P48 HC7), planning permission has lapsed on this site as a result of the Council's refusal to extend the time limit for submission of reserved matters on the grounds of insufficient information in relation to bats and dormice. Further survey work in respect of dormice and bats has been submitted by the developer as part of the LDP process and the County Ecologist has considered this information and has not raised any fundamental objections. Whilst the site may have not have been delivered under the previous plan, and the fact that the proposer has submitted further ecological information to address the objection, demonstrates an intention to develop the site. There are no specific constraints to the deliverability of this site and therefore the Council considers that it should continue to be allocated in the Plan.

4) In response to the request for the allocation of additional housing land to west of Newtown, the Council does not consider this necessary due to the reasons given in point 1 above. Candidate Site 660 was assessed during the candidate site process and re-considered in response to the representation made during the Deposit Draft 2015 consultation. The Council does not consider it appropriate to allocate this site for the same reasons as provided in response to the representation made at deposit stage, namely that there is sufficient land available within the settlement to meet future requirements of the town; the detachment of the site from the town, encroachment on open countryside; and potential impact on the setting of the listed buildings at Glanhafren Hall. Although works have recently commenced on the by-pass, such works are not expected to be completed until 2018 and further details have not been provided as to the proposed access arrangements to the site.

Employment land provision

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

5611.F1 11/03/2016 Summary: Newtown - FC75

Source: Email

Type: Objection

Mode Oral (Examination)

Status Maintained

5) The Council disagrees with the representor's supporting statement that the commissioned "Powys Employment Needs Assessment – Position Statement January 2016" was a cursory review. The Position Statement identified and assessed a full range of sites and existing premises available within the Newtown area which support the wider Severn Valley & North region, this region accounting for over half of the employment land available allocated in the Plan. The Plan therefore provides sufficient land and opportunity to ensure choice and flexibility is available across the full spectrum of categories of employment uses.

6) Additional evidence has been provided indicating the currently allocated employment site at Llanidloes Road within Newtown can be delivered as a phased development and additional land beyond that currently allocated could become available. The proposed development of new units at Abermule Business Park further indicates appropriate, modern business premises in the Newtown area will be delivered during the Plan period and thus with sufficient land available to meet demand, no additional employment land sites are required.

7) Candidate Site 660 was assessed during the candidate site process and re-considered in response to the representation made during the Deposit Draft 2015 consultation. However, the site fails to meet the sequential test for sites for economic development as specified in TAN23 and the issues originally identified in the site Status Report remain with no new evidence provided. Therefore the Council cannot recommend the allocation of this site within the LDP.

Conclusion

In view of the above, the Council does not agree with the Representor in that it is not considered to be necessary to include further housing or employment land allocations in Newtown to replace the loss of the previously proposed allocation P48 MUA1.

Council Response:

0

Question: 1

Representation Details

Representation Texts: Objection to the reduction in housing and employment land provision within the settlement of Newtown as a result of the proposed deletion of mixed use allocation P48 MUA1.

It is accepted that there are issues associated with P48 MUA1 which indicate that the allocation is not deliverable within the Plan period and should not therefore be allocated. However, the proposed removal of this allocation as part of the focussed changes significantly reduces the amount of housing and employment land allocated within Newtown as sufficient alternative land has not been provided. The representation is detailed fully within the attached supporting statement entitled: "Objection to proposed focussed change FC74 (P48 MUA1) (and consequential focussed changes) that proposes a reduction in the employment and housing allocations proposed in Newtown".

Accompanied by a supporting statement and it is noted to include reference to several other focussed changes in the Plan - FC2, FC7, FC10, FC11, FC17, FC19, FC22 and FC45. Reference is made to two other allocated sites in Newtown (P48 HC6 and P48 HA4) and doubts over the deliverability of these. It considers that suitable land is available elsewhere to meet this need, specifically to the west of Newtown and reference to a specific site (Candidate site 660).

Council Response:

0

Question: 2

Changes needed to the Focussed Change

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5611.F1 11/03/2016 Summary: Newtown - FC75

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Representation Texts: As detailed within the attached document, the plan should include further employment and housing land allocations within the settlement of Newtown to replace those lost as a result of the focussed changes.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: The opportunity to speak is requested in order that this representation and therefore the appropriateness of the way in which the Plan addresses the issues and opportunities in Newtown, can be more fully explored. This will also afford the objector the opportunity to hear and, where necessary, respond to counter arguments.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Objects as the plan should include further employment and housing land allocations within the settlement of Newtown to replace those lost as a result of the focussed changes.

Council Response: 0

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6424 Bebb, Mr M

Agent: **Berrys**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6424.F1 11/03/2016 Summary: Newtown - FC75

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 483/483/P48 MUA1 Land at St Giles Golf Club, Newtown

Map: P48H: Newtown- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Housing land provision

1) It is noted that the loss of the mixed use allocation P48 MUA1 proposed under FC74 leads to a reduction in allocated housing numbers in Newtown. However, it is considered that sufficient housing land remains available for within the settlement of Newtown to meet the future requirements of the town. Additional commitments (P48 HC8 and P48 HC10) have been identified. Furthermore, commitment P48 HC8 is currently under construction and is partially complete, and other commitments, including P48 HC2 and HC9, are also under construction or are completed or partially completed, for example P48 HC1, HC2 and HC3. There is therefore evidence of delivery on the ground in Newtown. There are also opportunities for infill within Newtown in the form of vacant plots and flat conversions.

2) In response to the comments relating to the deliverability of commitment P48 HC6, FC45 notes that an overflow car park has been built, however this is not considered to preclude the development of the approved affordable housing scheme at this site, which could proceed under the 1997 permission. The overflow car park has not been constructed to serve the new Pentecostal Church currently being built, it was constructed in 2009 and before the redevelopment plans for the Church which were approved in 2014. This overflow car park is not relied on in terms of the parking needs of the Church and is not conditioned as such as part of planning permission P/2013/0791 for redevelopment of the site. The Officer's report for planning application P/2009/1181 which sought retrospective planning permission states that the owner intends to construct remaining dwellings when the market picks up (following economic recovery from recession). The Council continues to consider that the scheme can be delivered and that it should be allocated in the Plan.

3) In response to the comments relating to the deliverability of allocation P48 HA4 (previously P48 HC7), planning permission has lapsed on this site as a result of the Council's refusal to extend the time limit for submission of reserved matters on the grounds of insufficient information in relation to bats and dormice. Further survey work in respect of dormice and bats has been submitted by the developer as part of the LDP process and the County Ecologist has considered this information and has not raised any fundamental objections. Whilst the site may have not have been delivered under the previous plan, and the fact that the proposer has submitted further ecological information to address the objection, demonstrates an intention to develop the site. There are no specific constraints to the deliverability of this site and therefore the Council considers that it should continue to be allocated in the Plan.

4) In response to the request for the allocation of additional housing land to west of Newtown, the Council does not consider this necessary due to the reasons given in point 1 above. Candidate Site 660 was assessed during the candidate site process and re-considered in response to the representation made during the Deposit Draft 2015 consultation. The Council does not consider it appropriate to allocate this site for the same reasons as provided in response to the representation made at deposit stage, namely that there is sufficient land available within the settlement to meet future requirements of the town; the detachment of the site from the town, encroachment on open countryside; and potential impact on the setting of the listed buildings at Glanhafren Hall. Although works have recently commenced on the by-pass, such works are not expected to be completed until 2018 and further details have not been provided as to the proposed access arrangements to the site.

Employment land provision

5) The Council disagrees with the representor's supporting statement that the commissioned "Powys Employment Needs Assessment – Position Statement January 2016" was a cursory review. The Position Statement identified and assessed a full range of sites and existing premises available within the Newtown area which support the wider Severn

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6424.F1 11/03/2016 Summary: Newtown - FC75

Source: Email

Type: Objection

Mode Oral (Examination)

Status Maintained

Valley & North region, this region accounting for over half of the employment land available allocated in the Plan. The Plan therefore provides sufficient land and opportunity to ensure choice and flexibility is available across the full spectrum of categories of employment uses.

6) Additional evidence has been provided indicating the currently allocated employment site at Llanidloes Road within Newtown can be delivered as a phased development and additional land beyond that currently allocated could become available. The proposed development of new units at Abermule Business Park further indicates appropriate, modern business premises in the Newtown area will be delivered during the Plan period and thus with sufficient land available to meet demand, no additional employment land sites are required.

7) Candidate Site 660 was assessed during the candidate site process and re-considered in response to the representation made during the Deposit Draft 2015 consultation. However, the site fails to meet the sequential test for sites for economic development as specified in TAN23 and the issues originally identified in the site Status Report remain with no new evidence provided. Therefore the Council cannot recommend the allocation of this site within the LDP.

Conclusion

In view of the above, the Council does not agree with the Representor in that it is not considered to be necessary to include further housing or employment land allocations in Newtown to replace the loss of the previously proposed allocation P48 MUA1.

Council Response:

0

Question: 1 Representation Details

Representation Texts: Objection to the reduction in housing and employment land provision within the settlement of Newtown as a result of the proposed deletion of mixed use allocation P48 MUA1.

It is accepted that there are issues associated with P48 MUA1 which indicate that the allocation is not deliverable within the Plan period and should not therefore be allocated. However, the proposed removal of this allocation as part of the focussed changes significantly reduces the amount of housing and employment land allocated within Newtown as sufficient alternative land has not been provided.

The representation is detailed fully within the attached supporting statement entitled: "Objection to proposed focussed change FC74 (P48 MUA1) (and consequential focussed changes) that proposes a reduction in the employment and housing allocations proposed in Newtown".

Accompanied by a supporting statement and it is noted to include reference to several other focussed changes in the Plan - FC2, FC7, FC10, FC11, FC17, FC19, FC22 and FC45. Reference is made to two other allocated sites in Newtown (P48 HC6 and P48 HA4) and doubts over the deliverability of these. It considers that suitable land is available elsewhere to meet this need, specifically to the west of Newtown and reference to a specific site (Candidate site 660).

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: As detailed within the attached document, the plan should include further employment and housing land allocations within the settlement of Newtown to replace those lost as a result

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6424.F1 11/03/2016 Summary: Newtown - FC75

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

of the focussed changes.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: The opportunity to speak is requested in order that this representation and therefore the appropriateness of the way in which the Plan addresses the issues and opportunities in Newtown, can be more fully explored. This will also afford the objector the opportunity to hear and, where necessary, respond to counter arguments.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Objects as the plan should include further employment and housing land allocations within the settlement of Newtown to replace those lost as a result of the focussed changes.

Council Response: 0

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by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 43.100 Ystradgynlais Area - FC83, FC84, FC85, FC86, FC87, FC88, FC89

1792 ALERT Activities Ltd. Agent: Tim Roberts Planning

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

1792.F1 24/02/2016 Summary: Supports FC83 - HA9

Source: Post or in person Type: Support Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais
 Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Support for FC83 is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: I support Focussed change HA9 as the site is ideally located for housing and has no constraints. It has easy access to the Swansea and Brecon Road A4067, approx. 150m.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: None.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Supports FC83 - P58 HA9.

Council Response: 0

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

4395 A.L.E.R.T Activities Ltd

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

4395.F1 23/02/2016 Summary: Supports FC83 - P58HA9.

Source: Post or in person Type: Support Mode Oral (Examination) Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016

Map: P58E: Ystradgynlais Area- FC

Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Support for FC83 is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: I fully support the planning teams schedule of focussed changes particularly FC HA9 due to its ideal location.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: None.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: Suitability of the site and its merits.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

4786 Powys County Council, Highways Transport and Re

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

4786.F5 11/03/2016 Summary: Ystradgynlais Area - FC84 - P58 HA11 Penrhos School Extension

Source: Type: Comment Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1311//P58 HA11 Penrhos School Extension, Ystradgynlais
 Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Your comments are noted. Previous communications with the proposer for both sites have been made with regards the means of access. The proposer is very happy to act upon the requirement in the plans that the Council understand are currently being drawn up.

Council Response: 0

Question: 1 Representation Details

Representation Texts: The only means of access to this site will be through the former Penrhos School Site. It will be essential that a holistic approach to the entire allocations from the class II road.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Add a additional note to the Issues/Infrastructure column making clear the need to effectively combine both sites [P58 HA3 & P58 HA11] when considering access and layout.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Emphasising the need to incorporate adequate access arrangements for P58 HA11 when drawing up plans for access to P58 HA3.

Council Response: 0

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Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

5408 Roberts, Mr Daniel

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5408.F1 26/02/2016 Summary: Support FC83 - P58HA9

Source: Post or in person Type: Support Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais
 Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Support for FC83 is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: We need housing in the area. It's a good site for it. The land isnt being used.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Supports FC83 - P58HA9.

Council Response: 0

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Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

5530 Ashby, Tracy

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

5530.F1 08/03/2016 Summary: Supports FC83 - P58HA9

Source: Post or in person Type: Support Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais
 Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Support for FC83 is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: I support this land being in the LDP. There is a lack of housing in this area. I believe that we need to attract more people to our area with skills we do not have locally and also keep families in the area who are currently struggling to find housing.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Support FC83 - P58HA9.

Council Response: 0

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Consultation Report Appendix 4: FC Representations & Council Responses

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

5706 Bletchley Park Developments Ltd

Agent: **Tim Roberts Planning**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

5706.F1 18/02/2016 Summary: Ystradgynlais Area - FC83 support for P58 HA9

Source: Type: Support Mode Oral (Examination) Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais

Map: P58E: Ystradgynlais Area- FC

Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Support for site P58 HA9 is noted. Thank you.

Council Response: 0

Question: 1 Representation Details

Representation Texts: The site at Penrhos Farm is free from planning, physical and ownership constraints, and economically feasible for development, so as to create and support a sustainable community in a part of PCC where people want to live. The site comprises very poor quality agricultural land which is currently grazed by horses and, in any event, it benefits from an extant planning permission for recreational uses. There are no ecological, archaeological or heritage constraints to development, and the site is well defined and enclosed to the north and east by woodland. Satisfactory vehicular access is in place as are the requisite utilities close by.

This site at Penrhos Farm (referenced HA9) is 'available', 'deliverable' and 'viable'.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: [None given]

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Support for the inclusion of P58 HA9 as a Focussed Change

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6196 CME Developments Ltd

Agent: **Asbri Planning Ltd**

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6196.F2 11/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45

Source: Email Type: Objection Mode Oral (Examination) Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1310/851/P58 HA10 Brynygroes, Ystradgynlais
Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: The Council disagrees with the Representation. Based on current Allocations in the Ystradgynlais area there is already enough provision for housing. The situation at Jeffrey's Arms is still being determined, but the Council feels that even if it were to be withdrawn (and it is by no means certain that it would be) there would still be adequate provision in the area. There is also felt to be considerable local resistance to the idea of further development at Brynygroes at this time.

Council Response: 0

Question: 1 Representation Details

Representation Texts: A separate Form [F3] refers to support for the proposed Focussed Change to allocate land at Brynygroes Farm, Ystradgynlais under Policy – HA 10 and Appendix 1. This follows a resolution to grant outline planning permission - Ref P/2014/1133. It is considered however, that by not including the larger area, represented by Candidate Site 852, to the north of the proposed allocation (site subject to the planning application – P/2014/1133), an opportunity has been missed. The inclusion of additional land for development would allow for further phased development later in the plan period, which would make efficient use of infrastructure provision on the allocated site, and would create a more comprehensive form of development. It is noted that Powys planning officers' comments in previous Site Status Reports, when considering the Candidate Site, accepted that the 'opportunity exists to create a larger development'. This was in a climate where the UDP allocation B31 HA1was not proposed to be brought forward. However, now in confirming the principle of development at this location in the LDP, as well as the UDP, the reasons for rejecting the additional land have significantly diminished, particularly as the Sustainability Appraisal prepared to support Deposit Plan representations showed similar results to the allocated site. It is considered that if the scheme for 50 dwellings were reduced to some 18 units, any remaining concerns regarding landscape impact would be minimised, as it would allow for the retention of more amenity land, together with existing trees and woodland which could be reinforced by additional planting. It is noted that the proposed Focussed Changes involve the reconsideration of several site allocations, particularly in the Ystradgynlais area. One such site has remained unchanged – HC1-P58, Land to the Rear of the Jeffrey Arms, Brecon Road, which allocates land for 18 dwellings. The scheme, however, is dependent on the demolition of the public house. The site has now been acquired by a new owner who is currently renovating the existing building with a view to converting it to residential use. As such the allocation is no longer deliverable, as development of the land to the rear is dependent on the demolition of the building. . The inclusion of the additional land for some 18 dwellings at Brynygroes would therefore provide a direct replacement for a site which is no longer realistic or appropriate as a housing land allocation.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Allocation of additional land for a further 18 dwellings on land to the north of proposed Focussed Changes Housing Land Allocation HA 10 – Land at Brynygroes Farm, Ystradgynlais.

Council Response: 0

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6196.F2 11/03/2016 Summary: Appendix 1 – Settlement Allocations - FC45

Source: Email

Type: Objection

Mode Oral (Examination)

Status Maintained

Question: 3 Reason for request to speak at hearing

Representation Texts: In order to present evidence before the Inspector

Council Response:

0

Question: 4 Summary of Representation

Representation Texts: Objecting to the omission of land north of Brynygroes (CS852)

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6205 Thomas, Mr Edgar

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6205.F1 10/03/2016 Summary: Ystradgynlais Area - FC84 P58 HA11

Source: Email Type: Support Mode Oral (Examination) Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1311//P58 HA11 Penrhos School Extension, Ystradgynlais

Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Your support for FC84 (P58 HA11) is noted. Thank you.

Council Response: 0

Question: 1 Representation Details

Representation Texts: The focused change in respect of the Penrhos school extension (P58 HA3)[and HA11] is wholly supported where subject to its final adoption will allow the opportunity to create a comprehensive scheme to maximise the original allocation. Following the purchase of the site in early 2015 it was the parties' intention to develop a residential scheme within the development limits of the existing UDP which surrounded the former school (initial scheme). It was on that basis that a number of key milestones had been progressed in seeking to develop the scheme further, where the demolition of the school had taken place together with a number of additional ecological and infrastructure surveys. In addition to this, pre-application consultation had also taken place to understand the associated requirements for submission and likely section 106 contributions that would be needed to support a planning application where the finalisation of plans towards a submission were in the process of being completed. However, since the announcement of the focussed change FC84 in January there has been the need to re-evaluate the initial scheme given this area would form the entrance to the entire allocation. In addition to this there would also be the need to accommodate further associated infrastructure and hence there is the new commitment (subject to the adoption of the focussed change) to develop through further negotiations a comprehensive masterplan to realise the sites full potential and contribute to the overall aims and objectives of the plan.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Continued support for the sites final adoption within the LDP.

Council Response: 0

Question: 3 Reason for request to speak at hearing

Representation Texts: To provide an update in relation to the status of the overall scheme together with indicative masterplans to support the inclusion of the site.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Supporting FC84 P58 HA11 (and P58 HA3) together

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Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

<i>Rep'n/Para/Policy</i>	<i>AccessnNo</i>	<i>DateLodgd</i>	<i>Late?</i>	<i>Status</i>	<i>Modified</i>	<i>Summary</i>
6205.F1		10/03/2016	<input type="checkbox"/>			Summary: Ystradgynlais Area - FC84 P58 HA11
Source: Email			Type: Support			Mode Oral (Examination) Status Maintained

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6281 Ystradgynlais Town Council (Abercrave Ward)

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6281.F1 02/03/2016 Summary: Ystradgynlais Area - FC83 P58 HA9

Source: Post or in person Type: Objection Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais
 Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Your representations are noted, however the Council disagrees with your comments and no new evidence has been presented. As with many sites in the Ystradgynlais area previous mine workings and, in this case an old brick works, need to be surveyed and, if necessary, mitigated against. Not all of the site will be developed in order to maintain the green wedge between the communities, an ecological survey will also be required and large parts of the site will remain as woodland to accommodate the badger sett as well as Otters and Bats that may also use the site. Issues with access to the Highway is already known about and an area of the site has been earmarked to create adequate access. No issues have been identified concerning land drainage, water supply or foul flows from the site.

Therefore the Council does not agree with your request to remove the site from the Plan.

Council Response: 0

Question: 1 Representation Details

Representation Texts: The original planning application was for a bicycle track and cycling centre. The site is full of old mine workings, with no maps to show where they are. The site is seriously contaminated from these old workings.

There is a live badger sett and this must not be disturbed. Over the years, the site has become naturalised, with its own flora and fauna. It should remain undisturbed as a site of natural habitat.

It acts as a green 'wedge' separating Caerbont from Penrhos.

It provides a natural soakaway for rainwater. Filled with housing and concrete/tarmac, this rainwater would drain out onto the road, causing problems, flooding lower down in Caerbont.

There would be extra traffic on the highway - possibly 200 cars. Cars leaving the site would have a dangerous right turning to travel down the hill. Cars attempting to enter the site from Penrhos would have a dangerous right turn into the site.

Water supply and sewerage systems could be difficult. The site is now saturated with water coming from the Nant Helen Opencast Site.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Removal of this site from the Plan.

Council Response: 0

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6281.F1 02/03/2016 Summary: Ystradgynlais Area - FC83 P58 HA9

Source: Post or in person

Type: Objection

Mode Written

Status Maintained

Question: 4 Summary of Representation

Representation Texts: Objection to FC83 P59 HA3 Penrhos Farm, Ystradgynlais

Council Response:

0

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6315 Natural Resources Wales

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6315.F12 11/03/2016 Summary: Ystradgynlais Area - FC83 P58 HA9 Comment

Source: Email Type: Comment Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais
 Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Your comment is noted. The BBNPA have been consulted with regard to all of the LDP Allocations and any Representations concerning them have been considered.

Council Response: 0

Question: 1 Representation Details

Representation Texts: P58 HA9 Penrhos Farm, Ystradgynlais
 The site is located approximately 200m from the Brecon Beacon National Park. We would advise that you consult the Brecon Beacons National Park with regards to the intention to allocate this site within the LDP.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Comment regarding proximity of P58 HA9 to BBNP Boundary

Council Response: 0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6315.F13 11/03/2016 Summary: Ystradgynlais Area - FC87, P58 HA10 Comment

Source: Email Type: Comment Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1310/851/P58 HA10 Brynygoes, Ystradgynlais
 Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6315.F13 11/03/2016 Summary: Ystradgynlais Area - FC87, P58 HA10 Comment

Source: Email Type: Comment Mode Written Status Maintained

Question Representation Texts

Question: Council Response

Representation Texts: Your comment is noted. The BBNPA has been consulted about all of the Allocations and any Representations received have been considered.

Council Response: 0

Question: 1 Representation Details

Representation Texts: P58 HA10 Brynygroes, Ystradgynlais

It is noted that there is an existing commitment on this site.

The site is located approximately 100m from the Brecon Beacon National Park. We would advise that you consult the Brecon Beacons National Park with regards to the intention to allocate this site within the LDP.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: N/A

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Comment re the need to consult with BBNP re Allocation

Council Response: 0

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6315.F14 11/03/2016 Summary: Ystradgynlais Area - FC84, P58 HA11 Comment

Source: Email Type: Comment Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1311//P58 HA11 Penrhos School Extension, Ystradgynlais

Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Consultation Report Appendix 4: FC Representations & Council Responses

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

<i>Rep'n/Para/Policy</i>	<i>AccessnNo</i>	<i>DateLodgd</i>	<i>Late?</i>	<i>Status</i>	<i>Modified</i>	<i>Summary</i>
6315.F14		11/03/2016	<input type="checkbox"/>			Summary: Ystradgynlais Area - FC84, P58 HA11 Comment
Source: Email		Type: Comment		Mode	Written	Status Maintained
<hr/>						
<i>Question</i>	<i>Representation Texts</i>					
Question:	Council Response					
Representation Texts:	Your comment is noted. The BBNPA has been consulted about all of the Allocations and any Representations received have been considered.					
Council Response:	0					
<hr/>						
Question: 1	Representation Details					
Representation Texts:	P58 HA11 Penrhos School Extension, Ystradgynlais The site is located approximately 170m from the Brecon Beacon National Park. We would advise that you consult the Brecon Beacons National Park with regards to the intention to allocate this site within the LDP.					
Council Response:	0					
<hr/>						
Question: 2	Changes needed to the Focussed Change					
Representation Texts:	N/A					
Council Response:	0					
<hr/>						
Question: 4	Summary of Representation					
Representation Texts:	Comment re the need to consult BBNP re this Allocation.					
Council Response:	0					
<hr/>						
<i>Rep'n/Para/Policy</i>	<i>AccessnNo</i>	<i>DateLodgd</i>	<i>Late?</i>	<i>Status</i>	<i>Modified</i>	<i>Summary</i>
6315.F15		11/03/2016	<input type="checkbox"/>			Summary: Ystradgynlais Area - FC85, P58 HA12 Comment
Source: Email		Type: Comment		Mode	Written	Status Maintained
<hr/>						
Document:FC - Map Schedule of Focussed Changes Jan 2016	Site: 1312//P58 HA12		Cynlais Playing Fields, Ystradgynlais			
	Map: P58E: Ystradgynlais Area- FC		Issue: 2015: Deposit Draft-11. Allocated Sites			

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6315.F15 11/03/2016 Summary: Ystradgynlais Area - FC85, P58 HA12 Comment

Source: Email Type: Comment Mode Written Status Maintained

Question Representation Texts

Question: Council Response

Representation Texts: Your representation is noted. The BBNPA has been consulted about all of the Allocations and any Representations received have been considered.

Your comments with regards the site and the following text is proposed for inclusion in the Issues/Infrastructure column of Appendix 1 for site P58 HA12 for consideration by the Inspector as a Matters Arising Change:

Re Site P58 HA12:

"Requires remodelling of layby exit to form a satisfactory access to the site. Site is recorded as being crossed by a main sewer. Part of site within TAN15 C2 flood zone and a larger extent within Zone B. Flood Consequences Assessment required including testing potential blocking of adjacent bridge together with climate change hydrology. Certain works will require consent from the appropriate regulatory bodies as site adjacent to a main river. Further assessments on Contaminated Land, Drainage and Ecology required."

Council Response:

0

Question: 1 Representation Details

Representation Texts: P58 HA12 Cynlais Playing Fields, Ystradgynlais
 The site is located directly adjacent the boundaries of the Brecon Beacon National Park. We would advise that you consult the Brecon Beacons National Park with regards to the intention to allocate this site within the LDP.
 We have records of a main sewer crossing the site and would therefore encourage consultation with Dwr Cymru.
 NRW holds good hydraulic modelling in this particular location for the Tawe.
 A small part of the site lies within Zone C2 as defined by the development advice maps referred to under Tan15 Development and Flood Risk (July 2004). Our flood maps confirms that a larger extent of the site lies within Zone B.
 We would recommend that any formal planning application is supported by a FCA to ensure that flows within our hydraulic model are as up to date as possible and that a blockage of the adjacent bridge be tested together with climate change hydrology.
 We note that the River Tawe runs adjacent the site which is a main river. Under the Water Resources Act 1991, and the Land Drainage Act 1991, certain works require the prior consent of Natural Resources Wales (NRW). In particular, consent will be required for any proposed works or structures in, under, over or within 7metres of the top of the bank of a main river. However on 5th April 2016 the relevant Sections within these Acts will be superseded by The Environmental Permitting (England and Wales) (Amendment) Regulations 2016, specifically, Schedule 23ZA. The new Regulations will require that any "flood risk activity" as indicated above will require a Permit if proposed within a buffer of either 8m or 16m of a main river. It is emphasised that NRW resists culverting on conservation and other grounds, and consents for such works will not normally be granted except for access crossings.

Council Response:

0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Edit Appendix 1 to reflect comments above.

Council Response:

0

Question: 4 Summary of Representation

25/04/2016

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6315.F15 11/03/2016 Summary: Ystradgynlais Area - FC85, P58 HA12 Comment

Source: Email

Type: Comment

Mode Written

Status Maintained

Representation Texts: Comment re the need to consult with BBNP re this Allocation

Council Response:

0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

6348 Dwr Cymru Welsh Water

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6348.F4 11/03/2016 Summary: Ystradgynlais Area - FC83 - Comment re P58 HA9 Penrhos Farm

Source: Email Type: Comment Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais
 Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Your comments are noted. Thank you. The Council proposes the following revision to the Issues/Infrastructure column of Appendix 1 for site P58 HA9 for consideration by the Inspector as a Matters Arising Change:

"Highways improvement, ecology, land contamination assessments required. Site within buffer zone of existing minerals extraction permission. 0.52ha for access, landscaping and open space.
 Due to the amount of proposed development, and the close proximity of sites, it may be necessary for developers to fund the undertaking of a hydraulic modelling assessment of the water supply network to establish any improvements required to serve the sites with an adequate water supply.
 Ystradgynlais Wastewater Treatment Works (WwTW) has limited capacity. Should potential developers wish to commence in advance of the AMP6 scheme then financial contributions from developers are required to fund the necessary improvements."

Council Response: 0

Question: 1 Representation Details

Representation Texts: P58 HA9 New residential allocation and amendment to development boundary
 New allocation Penrhos Farm, Ystradgynlais
 Due to the amount of proposed development, and the close proximity of sites, it may be necessary for developers to fund the undertaking of a hydraulic modelling assessment of the water supply network to establish any improvements required to serve the sites with an adequate water supply.
 Our local sewerage network can accommodate foul flows from the proposed development site however off site sewers may be required. These can be provided through the sewer requisition scheme under Sections 98-101 of the Water Industry Act 1991.
 Ystradgynlais Wastewater Treatment Works (WwTW) has limited capacity and our current capital investment programme, Asset Management Plan 6 (AMP6), for the period 2015-2020 includes a scheme to increase capacity at Ystradgynlais WwTW. Should potential developers wish to commence in advance of the AMP6 scheme then financial contributions from developers are required to fund the necessary improvements through S106 of the Town & Country Planning Act 1990.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Comments regarding Site P58 HA9. As such there is no new evidence presented that effects the Allocation

Council Response: 0

Consultation Report Appendix 4: FC Representations & Council Responses

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Status	Modified	Summary	
6348.F5		11/03/2016	<input type="checkbox"/>			Summary: Ystradgynlais Area - FC84 - Comment re P58 HA11 Penrhos School Extension	
Source:	Email	Type:	Comment	Mode:	Written	Status:	Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1311//P58 HA11 Penrhos School Extension, Ystradgynlais
 Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question	Representation Texts
Question:	Council Response
Representation Texts:	Thank you for your representation. Your comments with regards the site are noted and the following text is proposed for inclusion in the Issues/Infrastructure column of Appendix 1 for site P58 HA11 for consideration by the Inspector as a Matters Arising Change: "Ystradgynlais Wastewater Treatment Works (WwTW) has limited capacity. Should potential developers wish to commence in advance of the AMP6 scheme then financial contributions from developers are required to fund the necessary improvements." Council Response:
	0

Question: 1	Representation Details
Representation Texts:	P58 HA11 New residential allocation HA11 Penrhos School <input type="checkbox"/> Due to the amount of proposed development, and the close proximity of sites, it may be necessary for developers to fund the undertaking of a hydraulic modelling assessment of the water supply network to establish any improvements required to serve the sites with an adequate water supply. <input type="checkbox"/> Our local sewerage network can accommodate foul flows from the proposed development site. <input type="checkbox"/> Potential developers need to be aware that the site is crossed by a sewer and protection measures in the form of easement widths or a diversion of the pipe would be required, which may impact upon the density achievable on site. <input type="checkbox"/> Ystradgynlais Wastewater Treatment Works (WwTW) has limited capacity and our current capital investment programme, Asset Management Plan 6 (AMP6), for the period 2015-2020 includes a scheme to increase capacity at Ystradgynlais WwTW. Should potential developers wish to commence in advance of the AMP6 scheme then financial contributions from developers are required to fund the necessary improvements through S106 of the Town & Country Planning Act 1990.
Council Response:	0

Question: 4	Summary of Representation
Representation Texts:	Comment re FC84 P58 HA11 Penrhos School Extension - as such there is no new evidence that effects the Allocation
Council Response:	0

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Status	Modified	Summary	
6348.F6		11/03/2016	<input type="checkbox"/>			Summary: Ystradgynlais Area - FC85 P58 HA12 Cynlais Playing Field Comment	
Source:	Email	Type:	Comment	Mode:	Written	Status:	Maintained

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Rep'n/Para/Policy AccessNo DateLodgd Late? Status Modified Summary

6348.F6 11/03/2016 Summary: Ystradgynlais Area - FC85 P58 HA12 Cynlais Playing Field Comment

Source: Email Type: Comment Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1312//P58 HA12 Cynlais Playing Fields, Ystradgynlais
 Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question *Representation Texts*

Question: Council Response

Representation Texts: Thank you for your representation. Your comments with regards the site are noted and the following text is proposed for inclusion in the Issues/Infrastructure column of Appendix 1 for site P58 HA12 for consideration by the Inspector as a Matters Arising Change:

Re Site P58 HA12:
 "Requires remodelling of layby exit to form a satisfactory access to the site. Site is recorded as being crossed by a main sewer. Part of site within TAN15 C2 flood zone and a larger extent within Zone B. Flood Consequences Assessment required including testing potential blocking of adjacent bridge together with climate change hydrology. Certain works will require consent from the appropriate regulatory bodies as site adjacent to a main river. Further assessments on Contaminated Land, Drainage and Ecology required. Potential developers need to be aware that the site is crossed by a sewer and protection measures in the form of easement widths or a diversion of the pipe would be required, which may impact upon the density achievable on site.
 Ystradgynlais Wastewater Treatment Works (WwTW) has limited. Should potential developers wish to commence in advance of the AMP6 scheme then financial contributions from developers are required to fund the necessary improvements."

Council Response: 0

Question: 1 Representation Details

Representation Texts: P58 HA12 New residential allocation Cynlais Playing Fields
 HA12 Cynlais Playing Fields
 A water supply can be provided to serve this site.
 Our local sewerage network can accommodate foul flows from the proposed development site.
 Potential developers need to be aware that the site is crossed by a sewer and protection measures in the form of easement widths or a diversion of the pipe would be required, which may impact upon the density achievable on site.
 Ystradgynlais Wastewater Treatment Works (WwTW) has limited capacity and our current capital investment programme, Asset Management Plan 6 (AMP6), for the period 2015-2020 includes a scheme to increase capacity at Ystradgynlais WwTW. Should potential developers wish to commence in advance of the AMP6 scheme then financial contributions from developers are required to fund the necessary improvements through S106 of the Town & Country Planning Act 1990.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Comment re FC85 P58 HA12 Cynlais Playing Field, As such there is no new evidence to effect the Allocation

Council Response: 0

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Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6348.F7 11/03/2016 Summary: Ystradgynlais Area - FC87 P58 HA10 Brynygroes - Comment

Source: Email Type: Comment Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1310/851/P58 HA10 Brynygroes, Ystradgynlais

Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Your comments are noted. Thank you.

Council Response: 0

Question: 1 Representation Details

Representation Texts: P58 HA10 New residential allocation Brynygroes Ystradgynlais
This site has been subject to a recent planning application ref P/2014/1133 and Welsh Water have provided our representations to Powys Council as part of the consultation process on the planning application.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Comment re FC87 P58 HA10 Brynygroes. As such there is no new evidence effecting the Allocation

Council Response: 0

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6396 Roderick, Susan

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6396.F1 26/02/2016 Summary: Supports FC83 - P58HA9

Source: Post or in person Type: Support Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais
 Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Support for FC83 is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: I support focussed change HA9. It has better road access and is not on a floodplain. It will not inconvenience anyone and has a good outlook. It has advantages over the other candidate sites.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Supports FC83 - P58HA9

Council Response: 0

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6397 Roderick, Emma

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6397.F1 26/02/2016 Summary: FC83 - P58HA9

Source: Post or in person Type: Support Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais
 Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Support for FC83 is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: I think this is a really good for the school and desperate need of houses in this area and affordable ones to.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Supports FC83 - P58HA9

Council Response: 0

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by: Representation No

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6398 Wales Ape and Monkey Sanctuary Ltd

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6398.F1 24/02/2016 Summary: Supports FC83 - P58HA9

Source: Post or in person Type: Support Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais
 Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Support for FC83 is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: The focussed change is critical for a much needed housing development in this area. The location is suitable for a number of reasons, aside from the obvious real need for affordable housing. There are no obvious disadvantages - the road entrance has very good visibility, it is not a flood plain, the site will have little or no effect on existing properties.

In my opinion, to refuse to support this is akin to negligence. We need to keep young people in this area and encourage a vibrant community, with good facilities and a thriving economy.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Supports FC83 - P58HA9

Council Response: 0

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6399 Lewis, Hayley

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6399.F1 23/02/2016 Summary: Support FC83 - P58HA9

Source: Post or in person Type: Support Mode Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais
 Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Support for FC83 is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: The location of site HA9 means it will not impact on the infrastructure of Ystradgynlais.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: No changes necessary.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Supports FC83 - P58HA9.

Council Response: 0

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6400 Lewis, Jason

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6400.F1 23/02/2016 Summary: Support FC83 - P58HA9

Source: Post or in person Type: Support Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais
 Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Support for FC83 is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: FC HA9 is ideally suited for rhg as it is only 200 metres from the A406. Swansea to Brecon Road and is approximately 500 metres from the nearest primary school.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: None.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Support FC83 - P58HA9.

Council Response: 0

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6406 Richards, Gemma

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6406.F1 01/03/2016 Summary: Supports FC83 - P58HA9

Source: Post or in person Type: Support Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais
 Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Support for FC83 is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Focused change HA9 is an obvious site for housing due to its proximity to the main Swansea to Brecon Road. It also has easy access to the National cycle route 43 which promotes healthy living.
 It also fulfills the need for modern housing at Ystradgynlais has not seen a major house builder in my lifetime (32 years).

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: No changes required.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Supports FC83 - P58HA9.

Council Response: 0

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6407 Paull, Mr Clive

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6407.F1 01/03/2016 Summary: Supports FC83 - P58 HA9

Source: Post or in person Type: Support Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais
 Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Support for FC83 is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: I support focussed change HA9 because the A4067 is a matter of metres away, which enable the two supermarkets the doctors surgery Pengarof and the hospital to be reached without having to drive along Brecon Road. In particular the 'Jeffaries[?] Hill'. Where there have been a number of accidents over the years where the road is very congested with parking either side. The site is also close to a fire station located in Abercrave located just over a mile away.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: None

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Supports FC83 - P58HA9

Council Response: 0

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6408 Richards, Dylan

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6408.F1 01/03/2016 Summary: Supports FC83 - P58HA9

Source: Post or in person Type: Support Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais
 Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Support for FC83 is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: I wholeheartedly support focussed change HA9 in the Powys Local Development Plan. As a young married man the site is ideally located in close proximity to a new primary school in Penrhos (500m) so children will be able to walk to school without having to cross any roads. It is also easy access to A4067, bypassing Ystradgynlais, to get to Maes Y Dderwen comprehensive school. The site is also practical as all developers and contractors lorries cranes etc. will not have to travel through the township of Ystradgynlais.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: No changes.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Supports FC 83 - P58HA9.

Council Response: 0

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6409 Cambule, Susan

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6409.F1 01/03/2016 Summary: Support FC83 - P58 HA9

Source: Post or in person Type: Support Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais
 Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Support for FC83 is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: I support focused change HA9 as there is a desperate need for new market value houses in the area. It is high time we had a major developer in Ystradgynlais to enable young people to purchase a home that isnt a 100 years plus old. The site is ideally located to a new primary school and I also understand it has access onto the national cycle route where young families will be able to cycle to work without the necessity of getting into their cars to do so.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: None to note.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Supports FC83 - P58HA9.

Council Response: 0

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6410 Barraclough, Andy

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6410.F1 08/03/2016 Summary: Support FC83 - P58HA9

Source: Post or in person Type: Support Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016 Site: 1309/885/P58 HA9 Penrhos Farm, Ystradgynlais
 Map: P58E: Ystradgynlais Area- FC Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Support for FC83 is noted.

Council Response: 0

Question: 1 Representation Details

Representation Texts: I support the development of this site as I believe it will bring the possibility of more skilled owrkers to the area which as a local company we currently have to look further afield to fill positions.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Support FC83 - inclusion of site P58HA9 - Ystradgynlais.

Council Response: 0

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6411 Castillo, Marlene

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

6411.F1 09/03/2016 Summary: Support Housing Allocation P58HA9

Source: Type: Support Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016

Map: P58E: Ystradgynlais Area- FC

Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: Thankyou for your support to FC 83.

Council Response: 0

Question: 1 Representation Details

Representation Texts: Land is not used for anything. Will be good for the area. Is on a bus route to everywhere.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Support Housing Allocation P58HA9 - Ystradgynlais

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

RefPoint: 43.102 Buttington Brickworks - FC113, FC114

27 Clwyd Powys Archaeological Trust

Rep'n/Para/Policy AccessnNo DateLodgd Late? Status Modified Summary

27.F7 10/03/2016 Summary: Buttington Brickworks - FC113, FC114

Source: Type: Comment Mode Written Status Maintained

Document:FC - Map Schedule of Focussed Changes Jan 2016

Map: P59: Buttington Brickworks - FC

Issue: 2015: Deposit Draft-11. Allocated Sites

Question Representation Texts

Question: Council Response

Representation Texts: The Council agree that the wording of Appendix 1 (Settlement Allocations Table) could be amended to include this issue. The Council would suggest that the following text is added to the issues column for consideration by the inspector as a Matters Arising Change:

"The site contains significant industrial remains as regards the sites of railway related features and development here may require prior archaeological intervention and possibly post consent works (consult and involve CPAT)".

Council Response: 0

Question: 1 Representation Details

Representation Texts: P59 EA1 - The allocation contains significant industrial remains the sites of railway related features. Development here may require prior archaeological intervention and possibly post consent works.

Council Response: 0

Question: 2 Changes needed to the Focussed Change

Representation Texts: Note should be made of the above.

Council Response: 0

Question: 4 Summary of Representation

Representation Texts: Request for additional information/text (archaeological matters) relating to site allocation.

Council Response: 0

by: Representation No

Filtered to show: (all of) Stage=F; Status=M

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