

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)		

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