

# **Powys Local Development Plan**

**2011 - 2026**

**Consultation Report**  
**April 2016** **January 2017**



## Contents

	Page
1. Introduction	2
2. Stage 1 – Delivery Agreement	4
3. Stage 2 - Evidence Gathering	6
4. Stage 3 - Pre-Deposit Participation (LDP Regulation 14)	8
5. Stage 4 - Pre-Deposit Public Consultation on the LDP Preferred Strategy, March 2012 (LDP Regulations 15 and 16)	10
6. Stage 5a – Initial Deposit Public Consultation on the LDP, July – September 2014 (LDP Regulations 17)	15
7. Stage 5b – Revised Deposit Public Consultation on the LDP, June – July 2015 (LDP Regulations 17)	23
8. Stage 6a – Consultation on Focussed Changes, January – March 2016	51
9. Stage 6b – Consultation on Further Focussed Changes, October to November 2017	55
10. Compliance with the Community Involvement Scheme	92

## 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
5.	Summary of Further Focussed Changes Representations

## **1. Introduction**

1.1 Powys County Council commenced the preparation of the Powys Local Development Plan (LDP) in January 2011. The Delivery Agreement<sup>1</sup> 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 Regulations<sup>2</sup>, 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 6a – Focussed Changes Consultation and Submission (January to March 2016)

**Stage 6b – Further Focussed Changes Consultation and Submission (October to November 2016)**

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

<sup>2</sup> 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 9<sup>th</sup> July 2010 and 20<sup>th</sup> 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](http://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 21<sup>st</sup> 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 28<sup>th</sup> July 2014 to the 8<sup>th</sup> 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 14<sup>th</sup> Feb 2011 to 6<sup>th</sup> 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 report<sup>3</sup> 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 27<sup>th</sup> May 2014 and subsequently by the Portfolio Holder who was given delegated authority on behalf of Full Council.

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<sup>3</sup> <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 21<sup>st</sup> Jan 2012 and on the 10<sup>th</sup> June 2011<sup>4</sup>.

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 27<sup>th</sup> 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 14<sup>th</sup> 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

<sup>4</sup>LDP 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.

<b>Date</b>	<b>Who &amp; How?</b>
4 <sup>th</sup> Aug 2011	Spatial Planning Team Vision & Objectives Workshop
30 <sup>th</sup> Sept 2011	LDP Working Group – Vision, Objectives & Strategic Options Workshop
12 <sup>th</sup> Oct 2011	Head of Service for Regeneration & Development - Meeting
21 <sup>st</sup> Oct 2011	Affordable Housing Partnership
2 <sup>nd</sup> Nov 2011	Development Management – Meeting
7 <sup>th</sup> Nov 2011	Heads of Service Meeting (inform only)
9 <sup>th</sup> Nov 2011	Montgomeryshire Shire Meeting
16 <sup>th</sup> Nov 2011	Radnorshire Shire Meeting
23 <sup>rd</sup> Nov 2011	Brecknock Shire Meeting
25 <sup>th</sup> Nov 2011	LDP Strategy Stakeholder Involvement Event <sup>5</sup> – 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 <sup>th</sup> Dec 2011	Community & Town Councils (North Powys) Liaison Meeting
8 <sup>th</sup> 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 <sup>th</sup> Jan & 23 <sup>rd</sup> Jan 2012	LDP Working Group – considered Preferred Strategy proposals and recommended approval to Cabinet
10 <sup>th</sup> Feb 2012	PCC Members' Seminar – introduced Preferred Strategy Proposals to all Members.
14 <sup>th</sup> Feb 2012	Cabinet – considered Preferred Strategy Proposals and recommended approval to Powys County Council
1 <sup>st</sup> March 2012	Powys County Council – approval of Preferred Strategy (& appraisal reports) for consultation.

<sup>5</sup> 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 1<sup>st</sup> 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 16<sup>th</sup> 2012) and the Brecon & Radnor Express (Thursday March 15<sup>th</sup> 2012). Press releases were also submitted to local newspapers and published in the County Times on the 16<sup>th</sup> March 2012 and the Brecon & Radnor Express on the 22<sup>nd</sup> 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 11<sup>th</sup> Oct 2011, and approved by the Council's Cabinet at its meeting on 19<sup>th</sup> 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
<b>Total</b>	<b>646</b>

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 28<sup>th</sup> 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 31<sup>st</sup> 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 22<sup>nd</sup> February 2014
- TRACC – 2<sup>nd</sup> October 2013
- Powys County Council Highways – 4<sup>th</sup> October 2013
- Trunk Roads Agency – 16<sup>th</sup> October 2013
- Dwr Cymru Welsh Water – 7<sup>th</sup> November 2013
- Network Rail – 14<sup>th</sup> 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 – 13<sup>th</sup> November 2013
- Brecknockshire – 27<sup>th</sup> November 2013
- Radnorshire – 20<sup>th</sup> 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:

<b>Date of Meeting:</b>	<b>Summary of meeting:</b>
<b>2012</b>	
5/1/12	The working group: <ul style="list-style-type: none"> <li>• Considered and provided comment on the draft Preferred LDP Strategy</li> <li>• Candidate Sites methodology</li> <li>• Housing Growth Options</li> </ul>
23/1/12	The Working Group: <ul style="list-style-type: none"> <li>• considered an updated working draft of the Preferred Strategy and made comments</li> <li>• Noted the Strategy had been assessed against various environmental and sustainability criteria.</li> <li>• 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.</li> <li>• 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.</li> </ul>
5/7/12	The Working Group: <ul style="list-style-type: none"> <li>• were given a LDP update</li> <li>• were given the Powys Local Development Plan Newsletter – Summer 2012, this would be sent to all Members and Town and Community Councils</li> <li>• were given - Planning: A guide for Local Authority Members in Wales produced by the Royal Town Planning Institute (RTPI)</li> <li>• considered a review of the LDP, the work undertaken to date, the website and future work.</li> <li>• 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.</li> <li>• Were given a presentation on the lessons learnt by other Councils which had developed their LDP's.</li> </ul>
11/10/12	The Working Group <ul style="list-style-type: none"> <li>• considered the representations received on the Preferred Strategy documents and recommended its approval to Cabinet of the draft Council responses.</li> </ul>
22/11/12	The Working Group discussed and agreed to the: <ul style="list-style-type: none"> <li>• content of the draft LDP newsletter</li> </ul>

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

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

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

- housing and growth levels – in light of 2011-based household projections published on 27<sup>th</sup> 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 11<sup>th</sup> 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 - 2<sup>nd</sup> Oct 2013
  - North Wales Policy Officer Group meeting – 9<sup>th</sup> April 2014 & 5<sup>th</sup> June 2014
  - Neath Port Talbot County Borough Council – 21<sup>st</sup> May 2013
  - Policy Heads at Shropshire Council - 11<sup>th</sup> February 2013
- Canal and Rivers Trust (Montgomery Canal) – 18<sup>th</sup> June 2013
- Bronllys Hospital – 10<sup>th</sup> December 2014
- Officers presented updates to a number of Agents Forum Meetings including one held on 16<sup>th</sup> January 2014.
- Scottish Power – 30<sup>th</sup> April 2013

6.16 At its Full Council meeting on the 27<sup>th</sup> 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 28<sup>th</sup> July 2014 and ran until the 8<sup>th</sup> 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 21<sup>st</sup> and 22<sup>nd</sup> 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 website<sup>6</sup> 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.

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<sup>6</sup> <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 24<sup>th</sup> July 2014 and in the County Times on the 25<sup>th</sup> July. Press releases were also submitted to local newspapers and published on the following dates:

- Brecon & Radnor Express July 2<sup>nd</sup> 2014
- Brecon & Radnor Express July 24<sup>th</sup> 2014
- South Wales Evening Post July 24<sup>th</sup> 2014
- County Times July 25<sup>th</sup> 2014
- Cambrian News July 31<sup>st</sup> 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 8<sup>th</sup> 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 28<sup>th</sup> July to the 8<sup>th</sup> 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 16<sup>th</sup> 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 4<sup>th</sup> 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 22<sup>nd</sup> 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 23<sup>rd</sup> 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 28<sup>th</sup> May 2015 and in the County Times on the 29<sup>th</sup> 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 2<sup>nd</sup> December 2015 and 11<sup>th</sup> December 2015, and approved by the Council's Cabinet at its meeting on 15<sup>th</sup> 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
<b>Total</b>	<b>882</b>

### 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.

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

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
Comments relating to the LDP vision and its reference to the natural environment and landscape.	<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>
Comments on the LDP objectives e.g. the separation of flooding and climate change.	<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>



<b>Summary of Comments Raised</b>	<b>Council Response and Recommendations</b>
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"> <li>• 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-</li> </ul>

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"> <li>• 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.</li> <li>• 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.</li> </ul> <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"> <li>Policy DM1 – Planning Obligations</li> <li>Policy DM2 – The Natural Environment</li> <li>Policy DM3 – Landscape</li> <li>Policy DM4 – Development and Flood Risk</li> <li>Policy DM5 – Flood Prevention Measures and Land Drainage</li> <li>Policy DM6 – Dark Skies and External Lighting</li> <li>Policy DM7 - Minerals Safeguarding</li> <li>Policy DM8 - Existing Mineral Working</li> <li>Policy DM9 – Contaminated and Unstable Land</li> <li>Policy DM10 – Amenities</li> <li>Policy DM11 - Protection of Existing Community Facilities and Services</li> <li>Policy DM12 – Transport Requirements for New Development</li> <li>Policy DM13 – Utility Requirements for New Development</li> <li>Policy DM14 - Development in Welsh Speaking Strongholds</li> <li>Policy DM15 – Design and Resources</li> <li>Policy DM16 - Protection and Enhancement of the Historic Environment</li> <li>Policy DM17 - Protection of Existing Employment Sites</li> </ul> <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>

<b>Summary of Comments Raised</b>	<b>Council Response and Recommendations</b>
<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
Comments relating to the site information in Appendix 1 of the LDP.	<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>
Support for many of the LDP's allocations.	<p>Support for many of the LDP allocations are noted.</p> <p>The Council recommends no change to the plan.</p>

## 12. Alternative Sites

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
Ensure the monitoring indicators are appropriate to measure the delivery of policies and to alert to their non-delivery.	<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>
Trigger points for intervention should be checked.	<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 6a - 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 29<sup>th</sup> January 2016 to March 11<sup>th</sup> 2016. All persons and organisations (representors) on LDPbase, including those who made deposit representations, specific and general consultation bodies 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 29<sup>th</sup> January and ran until 11<sup>th</sup> 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 28<sup>th</sup> January 2016 and in the County Times on the 29<sup>th</sup> 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 6<sup>th</sup> April 2016, and approved by the Council's Cabinet via a Delegated Portfolio Holder Decision on the 10<sup>th</sup> May, 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
<b>Total</b>	<b>209</b>

## 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				
	<b>TOTAL</b>	<b>209</b>	<b>12</b>	<b>103</b>	<b>49</b>	<b>45</b>

- 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 (Document LDP34).

## **9. Stage 6b - Consultation on Further Focussed Changes, October 2016**

### **Submission of LDP to the National Assembly**

9.1 As well as commencing public consultation on Focussed Changes, the Council also formally submitted the LDP to the National Assembly on the 29<sup>th</sup> January 2016.

9.2 Notice of the submission of the LDP was published in the Brecon and Radnor Express on the 28<sup>th</sup> January 2016 and in the County Times on the 29<sup>th</sup> January 2016.

### **Exploratory Meeting, Suspension and Progress Meeting**

9.3 Following submission, the Planning Inspector, Mrs Nicola Gulley was appointed to conduct the Examination in Public into the soundness of the LDP. The Inspector wrote to the Council on the 5<sup>th</sup> April 2016 raising potential concerns relating to the soundness of the LDP, specifically in relation to the issues of:

- Housing requirement and supply.
- The provision of Affordable Housing.
- Gypsy and Travellers Accommodation Need.

9.4 In response to these concerns, the Inspector decided that an Exploratory meeting, as outlined in the LDP Procedure Guidance (2015) was necessary in order to establish the Council's intentions in respect of her concerns and to make a recommendation about how the examination should proceed.

9.5 In addition, the Inspector wrote to the Council on the 6<sup>th</sup> May 2016 raising some further issues in relation to the content of the LDP.

9.6 The Council gave notice of the Exploratory Meeting in the Brecon and Radnor Express on the 14<sup>th</sup> April 2016 and the County Times on 15<sup>th</sup> April 2016.

9.7 The Exploratory Meeting was held on the 10<sup>th</sup> May 2016 at the Media Resource Centre (MRC), Llandrindod Wells. A note of the meeting was prepared and can be viewed on the LDP Examination website (ED006).

9.8 Following the Exploratory meeting the Inspector wrote to the Council on the 25<sup>th</sup> May 2016 (ED007) setting out her decision to suspend the Examination for a period of 6 months with immediate effect. The reason for the suspension was to allow the Council the opportunity to make changes to the Plan's structure and content and to prepare additional evidence in respect of housing delivery, affordable housing and Gypsy and Travellers accommodation.



9.9 In order to manage the additional work, the Council prepared an Action Plan (ED003) and provided monthly progress reports (ED9, 10, 13 & 17) to the Planning Inspector which were also published on the Examination website. The progress reports describe the work that the Council had undertaken, including involvement and meetings with officers from Welsh Government.

9.10 The Planning Inspector held a Progress Meeting with the Council on 15th September 2016 at the MRC, Llandrindod Wells. The Council gave notice of the Progress Meeting in the County Times on the 2<sup>nd</sup> September 2016 and the Brecon and Radnor Express on the 1<sup>st</sup> September 2016.

9.11 A Note of the Progress Meeting (ED016) was taken and published on the Examination website. At the conclusion of the meeting, the Inspector confirmed she was content with the progress made and the Examination could resume in November.

### **Further Focussed Changes consultation**

9.12 Having prepared the additional supporting evidence, and to incorporate changes to the Plan that were necessary as a consequence of this work, and to meet the Inspector's concerns, the Council's Cabinet agreed at its meeting on 13th September 2016 to approve proposed Further Focussed Changes and supporting Assessments for public consultation.

9.13 Consultation on the Further Focussed Changes (FFCs) was held over the 6 week period from 10<sup>th</sup> October 2016 to November 21<sup>st</sup> 2016.

9.14 Community and Town Councils were given advance notice by email of the forthcoming consultation.

9.15 Notice of the consultation period was given in the County Times on October 7<sup>th</sup> 2016 and in the Brecon and Radnor Express on the 6<sup>th</sup> Oct 2016. All persons and organisations (representors) on LDPbase, including those who made representations during previous stages, specific and general consultation bodies were notified of the consultation by email and / or /letter. An electronic copy (on CD) of all documents was sent to Specific and General Consultees as specified in the Delivery Agreement (LDP05), and to the Environmental Consultation bodies.

9.16 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.

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

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

### Summary of the Further Focused Changes Representations Received

9.19 In total, the Council received 741 representations during the FFC consultation period from 593 individuals and organisations (representors). All of the representations received are included within Appendix 5 to this report. (N.B. A small number of representations were treated as 'not duly made' and the Council has considered these).

9.20 A printed set of all of the representations received has been sent to the Planning Inspector and another set has been placed in the LDP Examination library in the Gwalia (viewable by appointment with the Programme Officer).

9.21 Compared to the Deposit (June – July 2015, 254 representors) and the Focused Changes (January – March 2016, 68 representors) stages, the consultation process elicited a higher level of response from representors. This high level of interest can be attributed to the proposed inclusion of Local Search Areas for wind and solar energy.

9.22 All representations have been recorded onto LDPbase and Appendix 5 to this report lists the representations received, which has been run as a report from LDPbase.

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

Consultation Document	No. of Representations received
LDP Schedule of Further Focused Changes	734
Habitat Regulations Assessment	1
Strategic Environmental Assessment	1
Sustainability Appraisal Report	4
Single Impact Assessment	1
<b>Total</b>	<b>741</b>

9.24 In order to manage the large number of representations received, all of the representations have been analysed to identify the main issues raised. These issues are set out in the following section. In the interests of efficiency, the Council has recommended responses to each of the issues in the table, rather than respond individually to all the representations in Appendix 5.

9.25 The main issues arising from the representations and draft Council responses were considered by the LDP Working group at its meeting on 9<sup>th</sup> January 2017, and approved by the Council's Cabinet on the 17<sup>th</sup> January 2017.

## Summary of Main Issues Raised by FFC Representations and Council's recommended response

9.26 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	38	1	14	15	8
2	Housing distribution and numbers	9	0	6	3	0
3	Housing Delivery and Infrastructure	3	0	0	3	0
4	Housing – Affordable Housing	8	0	5	1	2
5	Other Specialist Housing and Gypsy and Travellers	1	0	0	1	0
6	Transport and Community Facilities	1	0	0	1	0
7	Employment, Retail and Tourism	35	0	27	6	2
8	Minerals and Waste	12	0	0	8	4
9	Development Management and the Environment	31	0	10	16	5
10	Welsh Language and Culture and Heritage	5	0	3	2	0
11	Settlement Allocations and Commitments	13	0	9	4	0
12	Renewable Energy	575	0	547	20	8
13	Plan Monitoring and Review	3	0	1	2	0
14	Miscellaneous	0	0	0	0	0
15	SEA, SA, HRA	7	0	3	4	0
	<b>TOTAL</b>	<b>741</b>	<b>1</b>	<b>625</b>	<b>86</b>	<b>29</b>

9.27 The Council has an electronic database (LDPbase) which has been used for recording all representations on the LDP. All of the representations received, are presented in Appendix 5 to this report (published separately). Representors, and members of the public, can also view the Further Focussed Changes representations by clicking on the Ref Points in the online Document LDP43 or at the Examination library by appointment with the LDP Programme Officer.

**Issue 1 - Preparation, Process and Plan Strategy**

<b>Summary of Comments Raised</b>	<b>Council Response and Recommendations</b>
<p><b>FFC3, Para 1.4a</b> The LDP fails to satisfy the requirements of the Well-being of Future Generations Act impact assessment in relation to FFC79 (Policy RE1). All negative impacts have been ignored and the paragraph should be deleted. (6235.U1).</p>	<p>The Council is not legally required to comply with those sections of the Well-being of Future Generations Act that relate to the preparation of the LDP (see Examination Document ED020). However, although not required or necessary, the Council has completed an appraisal of the LDP using the Council's 'Integrated Impact Assessment' methodology. This was published as part of the Further Focussed Changes consultation (LDP041). That assessment, "concluded that the LDP's impact on Well-being is 'Good' or 'Very Good', except in those areas where, as a land use document, it has limited ability to influence outcomes (such as in Education, Protection of Children and people with Protected Characteristics). One area however where it could possibly improve is with regard to reflecting the interests of people with protected characteristics, and there will be an opportunity to see how this can be improved at future reviews of the Plan. Overall the findings of the Well-being Assessment reiterate the conclusions of the previous Equalities Impact Assessment (2015) and Sustainability Assessment (SA) 2016 carried out as part of the LDP's existing assessment processes." (LDP37, FFC3).</p>
<p><b>FFC3, Para 1.4a</b> Supported (6315.U1).</p>	<p>Noted.</p>
<p><b>FFC4 - Table: Themes and Priorities of the One Powys Plan</b> (3085.U1) Wording suggestions for:</p> <ol style="list-style-type: none"> <li>1. Paragraph 2.3.10a – to read 'The Priorities of the One Powys Plan 2014-17', to avoid confusion with themes mentioned elsewhere.</li> <li>2. Housing to be a standalone item in the table (2.3.10a) of the One Powys Priorities, or the Stronger Communities theme includes housing.</li> <li>3. Paragraph 2.3.12 – line 4 to read '...primarily focussed...'</li> <li>4. Para 2.3.14 – suggest rewording the last sentence to 'The LHS supports the affordable homes target and directs affordable housing to the areas of greatest need.'</li> </ol>	<ol style="list-style-type: none"> <li>1. The Council supports the change to the title of the table – recommend to the Inspector as a MAC.</li> <li>2. Accept the comment but no change to the LDP. The priorities relating to the One Powys Plan were established through a separate process.</li> <li>3. Wording change not deemed necessary by the Council.</li> <li>4. Wording change not agreed by the Council but to avoid confusion between high level strategies, the Council suggests that the last sentence in 2.3.14 could be removed entirely – recommend to the Inspector as a MAC.</li> </ol>
<p><b>FFC4, One Powys Plan</b></p> <ol style="list-style-type: none"> <li>1. Comments about the One Powys Plan in relation to older persons (6626.U3).</li> <li>2. Supporting older persons conflicts with the proposed closure of day centres. (6489.U2)</li> <li>3. Comment welcoming para 2.3.24 which recognises that the Council's Corporate</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted but no change to the LDP. The priorities relating to the One Powys Plan were established through a separate process.</li> <li>2. As 1. Above.</li> <li>3. Comments noted.</li> </ol>

<p>Improvement Plan reflects updated legislation such as the Well-being of Future Generations (Wales) Act. (6315.U2)</p>	
<p><b>FFC4, Regional Working, linkages with neighbouring LAs</b>          FFC79 (Policy RE1) should be amended to reflect what has been agreed with neighbouring authorities. (6898.U1)</p> <p>Show how Policy RE1 (FFC79) relates to the One Powys Plan. It needs to be better linked. (6898.U2).</p>	<p>Noted but no change to the LDP. Neighbouring authorities are statutory consultees and have been consulted on the LDP at each stage of its preparation.</p> <p>Policy RE1 is being re-considered as a result of the feedback at the FFC stage (see Council response to FFC Issue 12 below). Whilst the One Powys Plan and the LDP are established under separate processes, where reviews are timed appropriately the Council takes opportunities to align corporate plans.</p>
<p><b>FFC7</b></p> <ol style="list-style-type: none"> <li>1. Wording of Theme 4.f. should read 'read historic environment and not 'built heritage'. (27.U2)</li> <li>2. Wording of Theme 2.d. should include after built environment 'including for previously developed land' (3085.U2).</li> <li>3. Theme 3.e. – word 'new' to be added before infrastructure. (4601.U1).</li> </ol>	<ol style="list-style-type: none"> <li>1. Wording change agreed to read historic environment – recommend to the Inspector as a MAC.</li> <li>2. No change to the LDP, the terms regeneration and renewal are considered to encompass re-use of land.</li> <li>3. No change considered necessary as the wording "provision" implies this can be new infrastructure.</li> </ol>
<p><b>FFC8, LDP Vision and Objectives</b>          Wording suggestions:</p> <ol style="list-style-type: none"> <li>1. Objective 1 – refer to 5,596 dwellings (including for affordable)..(3085.U3)</li> <li>2. Objective 2 – last sentence          ....development will be accommodated where possible and in line with demand and need in nearby towns or large villages'. (3085.U3)</li> <li>3. Objective 6 – include a reference to empty properties. (3085.U3)</li> <li>4. Objective 7 – include reference to forestries. (3085.U3)</li> <li>5. Objectives and policies e.g. Themes 1, 2, 4 and Policy DM2 and DM3 conflict with FFC79 (6626.U1).</li> <li>6. Support for Theme 4 - and word 'Guardianship' (6898.U4).</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted but no change required. Reference is made to inclusion of affordable housing further in the sentence.</li> <li>2. Noted but no change required. The amendment does not change the meaning or intent of this objective.</li> <li>3. No change required. The amendment is unnecessarily specific and detailed for the objective.</li> <li>4. No change required. Forestry is covered by 'the rural economy'.</li> <li>5. The Plan seeks to reconcile all competing and conflicting land-uses and these issues will be balanced at individual planning application level.</li> <li>6. Noted.</li> </ol>
<p><b>FFC8, LDP Objective 5 ii</b></p> <ol style="list-style-type: none"> <li>1. Object to the criterion and suggest wording "endeavour to deliver, so far as is compatible with and does not compromise other LDP objectives, the County's contribution.... And to set out the contributions according to technology. (6235.U2).</li> <li>2. Support for the changes to Objective 5. (6713.U1)</li> </ol>	<ol style="list-style-type: none"> <li>1. The Council considers no change is necessary. In the light of feedback from the FFC consultation additional work is being carried out on the Renewable Energy Assessment and will be submitted to the Examination in due course; the policy context is the appropriate place for setting out detail.</li> <li>2. Support noted.</li> </ol>
<p><b>FFC8, Objective 6</b>          The Severn Valley should be defined and what constitutes the Severn Valley listed by community council. (448.U1-U3)</p>	<p>Noted but no change to the LDP. The Council accepts that the term Severn Valley is used in different contexts and can mean different things. Boundaries can be flexible and defined differently for different purposes so it is not possible for the LDP to establish this.</p>

	<p>Funding schemes will define their own parameters and criteria for funding, which is not the purpose of the LDP.</p>
<p><b>FFC8, Objective 13</b></p> <ol style="list-style-type: none"> <li>1. Supported.</li> <li>2. Criterion ii should include 'archaeology'. (6945.U5).</li> <li>3. Local assets should not be prioritised over national assets, and the deleted text relating to reducing the number of listed buildings at risk should be reinstated. (6945.U6).</li> </ol>	<ol style="list-style-type: none"> <li>1. Support Noted.</li> <li>2. With regard to the inclusion of archaeology the Council can advise that these assets are part of the historic environment and in the Council's opinion do not need listing separately. Note the Council is also recommending that the wording of Theme 4 is changed from Built Assets to the "Historic Environment" to improve consistency across the LDP Themes and Objectives.</li> <li>3. The intention of the objective is to have regard to local assets alongside national assets rather than to prioritise them. The reason for the deleted text is explained in the Schedule - FFC8 Reasons Box. No change to the LDP.</li> </ol>
<p><b>FFC10, Housing Growth</b></p> <ol style="list-style-type: none"> <li>1. Concerns of the basis for 5,596 dwellings and that no account has been taken of the latest ONS population projections. Also concerned about the distribution of houses within specific communities. (6930.U1, 6907.U1)</li> <li>2. Concern on behalf of a group of Llanbrynmair residents that the FFC related to the housing needs / growth figures within the LDP fail to reflect the new projected population figures issued by the Office of National Statistics on September 29 2016, which predict a fall in the population of Powys (6154.U1)</li> </ol>	<ol style="list-style-type: none"> <li>1. The proposed Dwelling Requirement Figure and Housing Provision Figure is evidenced through the background papers which accompany the LDP (EB35). The growth distribution pattern of the LDP follows the Strategy with towns and large villages being the foci for housing land allocations.</li> <li>2. The Council seeks to address the declining population in Powys and the LDP is one amongst other important statutory and corporate initiatives which will set out to achieve this.</li> </ol>
<p><b>FFC13, Retail Growth</b></p> <ol style="list-style-type: none"> <li>1. Add reference to living over shops / re-using empty properties in this section. (3085.U3)</li> <li>2. Object to the reference to additional convenience space being allocated in Presteigne because it is already well served with food and convenience shops; leakage elsewhere is unsupported; the town centre would be harmed; no quantifiable need. Longer consultation also needed. (6742.U1).</li> <li>3. Object to proposal that former Kayes site in Presteigne be listed as suitable for retail development: inappropriate and ill timed, disregards changing economics, individual life of small towns, effect of increased heavy traffic on small roads, ignores the proven deleterious effect of supermarket development on existing trade in small towns, will ruin Presteigne's unique characteristics / attraction (6920.U1).</li> </ol>	<ol style="list-style-type: none"> <li>1. This comment is noted but no change is required. The Council has already addressed this issue and considers that the LDP is supportive of this issue (document LDP42 - para 4.7.14) and therefore considers no further changes to the Plan are required.</li> <li>2. The Council disagrees with this representation. The independent evidence presented in the Powys Retail Study (EB14) identified a quantitative convenience retail need in Zone 5 (Knighton / Presteigne) to retain expenditure in the area. Qualitatively, this can be best addressed in Presteigne where a mixed use candidate site was proposed on a sustainable brownfield location where additional retail provision can support housing growth.</li> <li>3. The Council disagrees with this representation. The site was identified for mixed housing and retail use at an early stage in the Plan preparation process and has been supported as a Mixed Use allocation. At the request of the Inspector, the allocated site is now</li> </ol>

<p><b>FFC20, Strategy Statement</b> Suggest para 3.5.2 uses the words 'Historic environment' rather than 'built environment'. (27.U4).</p>	<p>presented in Policy R1A in the Plan. Agreed – recommend to the Inspector as a MAC.</p>
<p><b>FFC21, Strategic Policy SP5 – Settlement Hierarchy, FFC22 SP6 – Distribution, etc</b></p> <ol style="list-style-type: none"> <li>1. Suggest we explain the omission of Brecon (BBNP) in the Powys Settlements table -(3085.U6).</li> <li>2. Clarify the difference between the rural settlement tier and open countryside in policies SP5 and SP6 Cross refer to para 3.4.8 of the Housing Windfall Paper (EB42C) which refers to the UDP. (1084.U1).</li> <li>3. SP6 should refer to affordable housing on exception sites 'where there is a demonstrable need'. (3085.U7)</li> <li>4. Para 3.6.5 – Does this include edge of settlement allocations? (3085.U7)</li> <li>5. SP6, Small Villages, suggest rewording to 'Open Market housing development will be primarily restricted to ..' (3085.U7)</li> <li>6. SP6 Rural Settlements/Open Countryside – this section needs to be clearer in terms of what is rural housing, rural affordable housing and rural enterprise housing. There is a distinction between these as a group and this needs to be made clearer in the text and also the associated policy. (3085.U7)</li> <li>7. Para 3.6.9 – this statement could be prohibitive with recent news about the MOD proposed closure of barracks in Brecon in 2027. (3085.U7)</li> </ol>	<ol style="list-style-type: none"> <li>1. Comments noted – for clarity the Council recommends the table is relabelled from "Powys LDP Settlements" to "Settlements in the Powys LDP Area" and subsequently in the Towns section that Hay-on-Wye (BBNP) is amended to Hay-on-Wye (part BBNP Area) – recommend to the Inspector as a MAC.</li> <li>2. It is not intended that the Powys UDP named rural settlements are carried forward into the LDP. The LDP contains a new definition (see policy SP5, table of settlement tiers) to identify this type of settlement through criteria. The Council will consider how the Plan could differentiate the tier more clearly and whether the criteria should be strengthened. The Council considers it will be beneficial to amend the wording of H1 to clarify how the policy is intended to apply. The Council will give consideration to suitable revised wording for these issues and propose this as a Matters Arising Change.</li> <li>3. The Council do not agree to the change as this is the broad Strategy for the distribution / location of development. The affordable housing policies elsewhere in the Plan make clear that the test is for a proven, unmet local need.</li> <li>4. The proposed allocations are those detailed in the Inset Maps, these may include edge of settlement sites where natural expansion of the settlement is deemed logical and appropriate.</li> <li>5. The Council do not agree that the change of wording is necessary.</li> <li>6. The Council will consider how the Plan could differentiate the tiers more clearly and how to explain the different types of rural housing and the policies which apply. The Council considers it will be beneficial to amend the wording of H1 so as to make the purpose of the policy clearer and to clarify how the policy is intended to apply. The Council will give consideration to suitable revised wording for these issues and propose this as a Matters Arising Change.</li> <li>7. Noted but no change to the Plan as the wording is only an example.</li> </ol>
<p><b>FFC22, Strategic Policy SP7</b></p> <ol style="list-style-type: none"> <li>1. SP7 Supported from a minerals perspective (1481.U1, 6489.U2).</li> <li>2. Identification of Sennybridge Training Area supported. (6872.U1)</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted.</li> <li>2. Noted.</li> <li>3. Noted but no change required. Powys County Council has a new statutory duty under the Active Travel (Wales) Act to</li> </ol>

<p>3. National cycling routes should be safeguarded. (6160.U3).</p> <p>4. Include outstanding and high categories of landscape (from Landmap's historic, visual and sensory layers). (6235.U3).</p> <p>5. Additional assets should be added: Wye valley walk, historic sites of national / regional importance e.g. Montgomery and Builth castles, sites of cultural importance.(6836.U2)</p> <p>6. Criterion 2 should refer to Scheduled Ancient Monuments.</p>	<p>develop and maintain the cycle network across the County. This includes the National Cycling routes so the network is protected through other legislation</p> <p>4. Noted but it is considered that the application of LANDMAP is adequately covered elsewhere in the Plan.</p> <p>5. The Council has given close thought to the assets which are appropriate for SP7 with regard to the requirement that they must be shown spatially (mapped) on the Proposals Map. As noted at 3.6.11 the Plan has other detailed policy offering further protection alongside the various national safeguards.</p> <p>6. SAMs – as these are covered by separate legislation, no change is regarded as necessary.</p>
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## Issue 2 - Housing distribution and numbers

Summary of Comments Raised	Council Response and Recommendations
<p><b>FFC8, LDP Objective 1</b> Object because the housing requirement is not sound and should better reflect the housing needs of Powys. (6210.U5)</p>	<p>The proposed Dwelling Requirement Figure and Housing Provision Figure is evidenced through the background papers (EB35 and EB42) which accompany the LDP. No change to the LDP.</p>
<p><b>FFC10, Housing Growth</b></p> <p>1. Object to the DRF of 4,500 as too low, and the 10% uplift from 4087 to 4500 is not sufficient. The LDP is not ambitious enough. The DRF should be increased by a further 10%. (78.U1)</p> <p>2. Para 3.3.14 - Additional wording required to reduce the number of empty properties and encourage town centre investment and living over the shop. (3085.U4)</p> <p>3. The latest population projections for Powys show a fall from 133,000 to 122,400 by 2039 and these have not been taken into account.</p> <p>4. The DRF is maintained to achieve a 5 year housing supply rather than meeting the actual housing needs, and reflects a recessionary period. A higher DRF is required. (6210.U4)</p>	<p>1. The Council maintains that the LDP provides for a sufficient number of houses over the Plan period. The Dwelling Requirement Figure (as evidenced in EB35) is in line with the Plan's objectives to meet needs whilst providing adequate headroom and the figure is considered to be realistic and deliverable. The higher Provision figure of 5,596 demonstrates that the Council has had regard to a suitable contingency to guard against future uncertainty in the development sector.</p> <p>2. The Council considers that the LDP is supportive of this (see 4.7.14), however in terms of the Council's commitment towards Empty Properties, the subject has its rightful place in the Local Housing Strategy rather than the Local Development Plan.</p> <p>3. The Council is aware of the population projections showing a decline in numbers which extends beyond the end of the LDP period (2011-2026). The LDP Strategy and Policies will work alongside other Powys County Council Corporate Strategies in attempting to address this decline. The LDP's dwelling requirement is justified in paper EB35.</p> <p>4. The proposed DRF is one which is considered by the Council to meet needs whilst being realistic and deliverable within the remaining Plan period. The rationale for the DRF is set out in the</p>



	Plan and accompanying background papers (including EB35 and EB29). The Council recommends no change to the Plan.
<b>FFC11, Table H2 – LDP Housing Provision</b> Object to the increase in windfalls from 960 to 1210. This adds uncertainty to delivery. Support the greater number of allocations in towns and large villages. (78.U2)	Comments noted. Windfall projections are based on past completions data. The windfall calculation has been reconsidered and revised (at the request of the Inspector) using a longer historic trend period. This accounts for the increase, therefore no change to the Plan. Full details can be found in EB42C - Housing Provision 3 - Windfall Allowance September 2016.
<b>FFC60, Policy H1 A – Housing Sites</b> An additional column is needed in Policy H1A to indicate the number of units for each site.	The list of allocated sites presented in Policy H1A has been inserted into the Plan at the request of the Inspector. The detail of each site together with its capacity (number of units) is further set out in Appendix 1 of the Plan. The Council does not agree that Policy H1A requires this additional column as the detail requested to be included is provided in Appendix 1.

### Issue 3 - Housing Delivery and Infrastructure

Summary of Comments Raised	Council Response and Recommendations
<b>FFC59, Policy H1 – Housing Development Proposals</b> 1. The wording of the policy is questioned: the criteria read as statements. Suggest the following wording: 'Housing development must only take place on the sites below..'. Also, 'windfalls' should be referenced. (78.U8) 2. The policy groups rural settlements and open countryside together, and uses them the same criteria. It needs to be clarified and explained how they are different. (1084.U2)	1. The Council agrees that it would be beneficial to amend the wording of H1 so as to make the purpose of the policy clearer and to clarify how the policy is intended to apply. Specific reference to windfall sites may not be necessary although consideration will be given to this whilst redrafting the policy. The Council will propose revised wording as a Matters Arising Change. 2. The Council agrees that this section needs further clarity and will propose revised wording as a Matters Arising Change.
<b>FFC90, Appendix 1</b> 1. The phasing of sites should be included for clarity and effective monitoring. (1084.U8) 2. Confirmation is needed that the phasing of sites in the LDP and trajectory paper is consistent with the constraints identified in Appendix 1. Also advise SOCG with Dwr Cymru. (1084.U9) 3. The relationship between the flexibility allowance and phasing is unclear. Figure 1 in the trajectory paper needs to be amended to include completions to date, and average remaining build rates to be amended to 350 dwellings. (1084.U10)	1. The Council is in agreement with adding indicative phasing to sites in Appendix 1. 2. The Council confirms that constraints have been considered when determining phasing/delivery projections in EB29. The Council is currently engaged with both Dwr Cymru to produce SOCG and seeking a similar SOCG from Severn Trent. 3. Noted.

### Issue 4 - Housing – Affordable Housing

Summary of Comments Raised	Council Response and Recommendations
<p><b>FFC2, FFC15, FFC21</b> Object to the reduction in the number of affordable houses to 949 because it is lower than the identified need. A significant increase in housing provision is required in order to provide the affordable housing needed. Considers that the changes should be dropped such that an affordable housing requirement which better reflects the identified housing needs (6210.U1, U2 &amp; U3).</p>	<p>The affordable housing target set out in the LDP has been reduced following the Viability Assessment Update in August 2016 (EB13) and the subsequent review of the affordable housing policy contributions from private developments and due to other changes to the Plan, as explained in the Affordable Housing Topic Paper Update September 2016 (EB21). The proposed target is considered to be realistic and is evidence based. The Plan is not expected to meet the total need for affordable housing identified in Powys, however further affordable housing may be delivered through other measures. The Council does not agree to the change requested to the affordable housing target or the housing provision number.</p>
<p><b>FFC63, Policy H4 – Affordable Housing Contributions</b></p> <ol style="list-style-type: none"> <li>1. Comment disappointed in the removal of the 10% contribution in the south-west submarket area. (530.U2)</li> <li>2. Object, because affordable housing has been sacrificed in the south-west submarket area to make development viable. The 0% contribution is at odds with the LDP objectives and 10% should be re-introduced 10% is considered to be reasonable and not too onerous (541.U1 and 6751.U2).</li> <li>3. Support for the % affordable housing requirements in other sub-market areas. (6751.U3).</li> <li>4. Support Policy H4 in the context of P58 HA10 (Ystradgynlais).</li> </ol>	<ol style="list-style-type: none"> <li>1. and 2. The proposal to set the affordable housing contribution required on housing developments in the South-West to 0% is based on the evidence - Viability Assessment Update in August 2016 (EB13). The review of the affordable housing policy requirement, which was informed by this evidence, concluded that it would not be viable, realistic or worthwhile to seek affordable housing contributions in the South-West (see Affordable Housing Topic Paper Update September 2016 (EB21). The Council does not agree to the change requested to the affordable housing contribution set in the South-West under policy H4.</li> <li>3. Support noted.</li> <li>4. Support noted.</li> </ol>

## Issue 5 - Other Specialist Housing and Gypsy and Travellers

Summary of Comments Raised	Council Response and Recommendations
<p><b>FFC69 – Policy H13, Gypsy and Traveller Sites, etc.</b> The proposed gypsy and traveller allocations should be listed in a separate site allocation policy for clarity. The LDP needs to meet the identified need in advance of the hearing session. (1084.U5)</p>	<p>Council recommends that this can be accommodated as a MAC change, in conjunction with any consequent changes necessary to Policy H1A and Appendix 1 of the LDP.</p>

## Issue 6 - Transport and Community Facilities

Summary of Comments Raised	Council Response and Recommendations
<p><b>FFC57 – Policy T1A Safeguarding disused Transport Infrastructure</b> Support the inclusion of the policy, but known routes and infrastructure should be included on the proposals map including the line of the Montgomery Canal. (5704.U3)</p>	<p>The support is noted. The Montgomery Canal route is shown on the proposals map. No further change is required. Where development proposals may affect such a route any conflicting interests will be balanced and resolved at the individual application stage.</p>

**Issue 7 - Employment, Retail and Tourism**

<b>Summary of Comments Raised</b>	<b>Council Response and Recommendations</b>
<p><b>Policy Omission - Safeguarding Existing Employment Sites</b> Policy DM17 protects existing sites and the purpose of this policy should be explained; it protects existing sites but is at odds with itself because it permits alternatives. A new policy is required that identifies and safeguards key existing employment sites identified in the position statement (EB44) and such sites should be mapped. (1084.U11)</p>	<p>This representation is noted and the Council will address the policy omission and mapping as a Matters Arising Change.</p>
<p><b>Policy Omission – Supporting Rural Employment &amp; Homeworking</b> To align with TAN6, include a policy on supporting rural employment exception sites and homeworking. (1084U15)</p>	<p>This representation is noted and the Council will address the policy omission as a Matters Arising Change.</p>
<p><b>Policy E1 – Employment Proposals on Allocated Sites</b></p> <ol style="list-style-type: none"> <li>1. The Council needs to provide reassurance that all employment allocations are deliverable with the appropriate physical and social infrastructure in place. (1084.U12)</li> <li>2. The policy is supported but clarification is needed on whether the site sizes are gross or net? E.g. P28 EA1 Heart of Wales Business Park, 3.9 ha but in Appendix 1 only part is deliverable. (1084.U13)</li> <li>3. The supporting text of Policies E1 and E2 support ancillary uses on allocated sites. The policy should say this, if the Council is seeking to promote ancillary uses. (1084.U14)</li> </ol>	<ol style="list-style-type: none"> <li>1. Although this comment is not directly related to a FFC, the Council is confident that all employment allocations are deliverable and will monitor site activity and premises development.</li> <li>2. The support is noted. The Council will recommend amended wording as a Matters Arising Change to provide additional clarification.</li> <li>3. This comment is noted and the Council will recommend amended wording as a Matters Arising Change.</li> </ol>
<p><b>FFC71, Policy R1 – New Retail Development</b> Support for the strengthening of local retail centres. (517.U1)</p>	<p>Support noted</p>
<p><b>FFC72, Policy R1A – Retail Allocations</b> Various representations objecting to the retail allocation P51 MUA1, Former Kay Foundry, Presteigne because: it will have negative impacts; it will undermine existing business and the High Street; the evidence regarding expenditure leakage is challenged e.g. no regard was had to Leominster or Kington; internet and home delivery shopping has been ignored.</p> <p>Other concerns: the consultation is rushed and none has taken place with traders; NLP has a vested interest; that an independent retail study should be undertaken; and proposed that the site should only be allocated for mixed housing. (6771.U1, 6781.U1, 6786.U1, 6918.U1, 6902.U1, 433.U2, 525.U1, 6458.U1, 6742.U2, 6771.U2, 6881.U2, 6786.U2,</p>	<p>The Council disagrees with this representation. The independent evidence presented in the Powys Retail Study update 2015 identified a quantitative convenience retail need in Zone 5 (Knighton / Presteigne) to retain expenditure in the area. Qualitatively, this can be best addressed in Presteigne where a mixed use candidate site was proposed on a sustainable brownfield location where additional retail provision can support housing growth.</p> <p>The site was identified for mixed housing and retail use at an early stage in the Plan preparation process and has been supported as a Mixed Use allocation. At the request of the Inspector, the allocated site is now presented in Policy R1A in the Plan.</p>

6793.U2, 6812.U2, 6813.U1, 6858.U1, 6869.U1, 6882.U1, 6887.U1, 6893.U1, 6908.U1, 6918.U2, 6926.U1).	
<b>FFC77</b> Support the deletion of text in Paragraph 4.8.14 re Liverpool University analysis.	Support Noted

### Issue 8 - Minerals and Waste

Summary of Comments Raised	Council Response and Recommendations
<b>FFC4, Paragraph 2.3.8B</b> Support the acknowledgement of the SWARP. (6489.U1)	Support Noted
<b>FFC37, Policy DM7 – Minerals Safeguarding</b> (a) The policy should include reference to 'hard rock' safeguarding. (b) Justify the safeguarding of tertiary coal near Coedway as this is not required by National Policy. (c) Criterion 6 – examples to be deleted as items such as fences are not considered to adversely affect the mineral safeguarded. (1084,U18)	a-c) These representations are noted and the Council will recommend amended wording as Matters Arising Changes.
<b>FFC38, Policy DM8 – Existing Mineral Workings</b> (a) A cross reference is required in paragraph 4.2.43 to exceptional circumstances as set out in para. 49 of MTAN2: Coal re buffers. (b) Criterion 1 is not necessary and should be deleted. (1084.U19)	a) This representation is noted and the Council will recommend amended wording as Matters Arising Changes.  b) This representation is noted and the Council will recommend the amendment as a Matters Arising Change.
<b>FFC78, Policy W1 – Waste</b> 1. The employment allocations identified in Policies E1 & E3 should be identified as suitable for waste management facilities where appropriate. 2. Some employment allocations lie wholly within Flood Zone C2 e.g. P02 E1 (Abermule), and the Council should consider the suitability for waste management facilities in accordance with the definition of highly vulnerable development in TAN15. (1084.U16.) 3. To comply with TAN21 policies should be amended: (a) to require a Waste Planning Assessment to be submitted with all applications for a waste facility(para. 4.2, TAN21). (b) To support adequate facilities and space for the collection, composting and recycling of waste materials, to be incorporated into the design of any development (TAN21, Para 3.25). (c) Urban quarries (para 4.9.8 of the LDP) to be included in Policy W1 to guide their location. (1084.U17)	1. This representation is noted and the Council will recommend amended wording as Matters Arising Changes.  2. This comment is noted and the Council will consider the suitability of employment sites for waste management facilities and will recommend amended wording as Matters Arising Changes if necessary.  3 (a-c). These representations are noted and the Council will recommend amended wording as Matters Arising Changes.
<b>FFC81, Policy M1 – Existing Minerals Sites</b>	1. This representation is noted and the

<p>1. Criteria needed on issues of noise, blasting, environmental impacts, etc. in order to consider proposals against. (1084.U20)</p> <p>2. Para 4.11.5 appears to contain policy; proposals will not be permitted regarding restoration and aftercare; this needs to be in the policy. (1084.U20)</p> <p>3. Para 4.11.7 refers to unconventional hydrocarbon energy. Include this in a general DM policy. (1084.U20)</p> <p>4. Support FFC81. (6489.U6)</p>	<p>Council will recommend additional wording as Matters Arising Changes.</p> <p>2. This representation is noted and the Council will recommend amended wording as Matters Arising Changes.</p> <p>3. This representation is noted and the Council will recommend amended wording as Matters Arising Changes</p> <p>4. Support is noted.</p>
<p><b>FFC83, Policy M2 – New Minerals Sites</b> Delete the word 'permanent' from the policy because mineral workings are temporary. (6489.U7).</p>	<p>This representation is noted and the Council will recommend the amendment as a Matters Arising Change.</p>
<p><b>FFC85, Policy M3 – Borrow Pits</b> Delete the word 'Temporary' because it is superfluous. (6489.M3)</p>	<p>This representation is noted. The Council wished to distinguish the time-limited nature of borrow pits in relation to specific construction projects The Council will give consideration to suitable revised wording and if appropriate will recommend a Matters Arising Change.</p>

## Issue 9 - Development Management and the Environment

Summary of Comments Raised	Council Response and Recommendations
<p><b>FFC25, Policy DM1 – Planning Obligations</b></p> <p>1. Generally support, but disagree with the priority of affordable housing as it is desirable but not essential. (78.U3 &amp; U4).</p> <p>2. Policy title should include Community Infrastructure Levy and a corresponding statement added. (3085.U8).</p> <p>3. Support the inclusion of the rights of way network within the list of planning obligations that may be secured, because development may necessitate improvements to the Montgomery Canal. (5704.U1).</p>	<p>1. The supporting justification to policy DM1 makes it clear that priority will be given to essential infrastructure required for the development to be implemented. It is only after this is secured that affordable housing contributions would be prioritised, unless on a case by case basis there is a need for contributions towards other matters. It is considered to be appropriate to prioritise contributions in this way. The Council does not agree to the changes requested to this section.</p> <p>2. The Community Infrastructure Levy process is separate to the LDP process. Policy DM1 relates to the proposed policy approach in respect of planning obligations. Paragraphs 4.2.3 and 4.2.4 within the supporting justification for policy DM1 (which remains within the Composite Plan document reference LDP42) explains the Council's position in relation to the Community Infrastructure Levy.</p> <p>3. Support noted.</p>
<p><b>FFC26, Policy DM2 – The Natural Environment</b></p> <p>1. Clarify and explain the deliverability, reasonableness and practical application of requiring a 'net gain in biodiversity' What baseline info is used, how will this be monitored? How does it affect delivery and viability of development? (1084.U22)</p> <p>2. To accord with TAN5 (3.3.2), different</p>	<p>Whilst these comments are not directly related to an FFC the Council makes the following observations;</p> <p>1. Clarification is outlined in paras 4.2.20 to 4.2.22 that the Council seeks to ensure that wherever development takes place consideration is given by developers to how they will 'positively manage and enhance biodiversity and geodiversity'</p>

<p>criteria are required for different designations. Appropriate criteria are needed for national and international sites, and the criteria should be proportionate to each level. (1084.U25)</p> <p>3. Amend wording as follows in criterion 1 "In relation to site designations vii. To ix. below, development proposals <b>will only be considered...</b>" (3085.U9).</p>	<p>both on and around the site. This need not be onerous. Further clarification could therefore include a 'net gain' in terms of the 'number and or range of native plant species to be planted on site'. Further information and advice will be contained within the Biodiversity SPG.</p> <p>2. The Council has sought to address this in response to previous comments. It is recommended that clarification is provided as a MAC.</p> <p>3. The Council disagrees with the suggested amendment because the policy needs to be clear for development management and decision making purposes.</p>
<p><b>FFC27, Policy DM2A – Public Open Space</b> The policy is welcomed, but the standards in para 4.2.19 need to be elevated to the policy in line with PPW (11.2.2). (1084.U24)</p>	<p>Agreed – recommend to the Inspector as a Matters Arising Change.</p>
<p><b>FFC28, Policy DM3 – Landscape</b> Paragraph 4.2.25 applies SP1 From the BBNPA's LDP which is not appropriate. A new policy or criterion is required to enable the impact on the National Park to be considered. (1084.U25)</p>	<p>Agreed recommend to Inspector to delete the following sentence in para 4.2.25 as a Matters Arising Change: "Where applications for development may have an impact on the Brecon Beacons National Park either by virtue of their scale and/or location Policy SP1 of the BBNPA LDP will be considered"</p>
<p><b>FFC31, Policy DM4 – Development and Flood Risk</b></p> <p>1. Amend criterion 2 so the requirements for SUDs are desirable rather than a requirement. (78.U5).</p> <p>2. Specify the % size increase that would be acceptable. (3085.U10).</p> <p>3. Satisfied with the amended wording. (6315.U4)</p>	<p>1. This representation is a repeat of that made at the Focused Change (78.F8) stage where the council response was "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." The Council's position remains the same.</p> <p>2. The Council feels that what constitutes "a very minor nature" is best determined on a case by case basis in conjunction with the guidance in Technical Advice Note 15 rather than trying to create percentages for different forms of development within the policy.</p> <p>3. Comments Noted.</p>
<p><b>FFC35</b> Support FFC45, para 4.2.34. (78.U6)</p>	<p>Comments Noted.</p>
<p><b>FFC36, Policy DM6 – Dark Skies and External Lighting</b></p>	<p>1. Responded to in previous consultation. 2. The reasoned justification of Policy DM6</p>

<p>1. Previous comments reiterated (5704.U2).                  2. Reasoned justification should include additional wording in relation to night time tranquillity (wording suggested). (6315.U5)</p>	<p>is not part of the Further Focussed Changes consultation. However, the Council has considered the comments and concluded that there is no need to include the suggested text.</p>
<p><b>FFC37, Policy DM7 - Minerals Safeguarding</b>                  1. Policy supported (1481.U2).                  2. Amend wording to 'will only be permitted where it can be demonstrated by the developer through a Mineral Resource Assessment that ..' (6489.U3)</p>	<p>1. Support is noted.                  2. This representation is noted. The amended wording as proposed will be considered along with other representations on wording changes to this Policy and if appropriate the Council will recommend the amendment as a Matters Arising Change.</p>
<p><b>FFC38, Policy DM8 – Existing Mineral Workings</b>                  Policy supported. (6489.U4)</p>	<p>Support is noted</p>
<p><b>FFC45 Development in Welsh Speaking Strongholds</b>                  1. Paragraph 4.2.46 – are the higher tier settlements located in Community Council Areas where more than 25% of the population speak Welsh the same as those defined in Policy DM14? The words 'in addition' suggest otherwise and would be contrary to TAN20. (1084.U3)                   2. Paragraph 4.2.66 refers to cumulative impact of developments less than 10 dwellings together with extant planning permissions. This paragraph applies to almost everywhere and anything in the plan and should be deleted as contrary to TAN20. Only windfalls not factored into the plan should be subject to further scrutiny at the planning application stage.</p>	<p>1. The reference to higher tier settlements where more than 25% of the population speak Welsh under paragraph 4.2.65 is intended to be the same as those settlements defined in policy DM14.                   However, the following errors are noted within the list of settlements under policy DM14:                   a. Carno is a large village and is within the community Council area of Carno where according to the Census in 2011, more than 25% of its population spoke Welsh.                   b. Llansantffraid ym Mechain is not within a Community Council where more than 25% of its population spoke Welsh according to the Census in 2011.                   The Council therefore proposes to add the name of the settlement 'Carno' and to remove the name of the settlement of 'Llansantffraid-ym-Mechain' to the list of large villages under policy DM14, to read:                   Abercrave, Carno, Coelbren, Llanbryn-mair, Llangynog, Llansilin, Pontrobert, Penybontfawr and Trefeglwys                   Reference to 'in addition to' is made following reference to the county wide policy approach described under 4.2.64.                   2. Reference to cumulative impact under para. 4.2.66 was intended to be read in the context of the requirement for language action plans. It is not intended to apply to language impact assessments to individual applications. The additional text was provided in response to concerns raised at Focussed Changes stage that several small schemes of less than 10 units could come forward in a settlement which would have a cumulative impact. Together these schemes would have</p>

	<p>the equivalent effect of larger schemes but would avoid the need for a Language Action Plan. The additional text was intended to allow for this cumulative impact to be considered in determining the need for developments to be accompanied by Language Action Plans and to include mitigation measures.</p> <p>There may also be situations whereby relatively large schemes or several smaller schemes may be put forward in small villages within Community Council areas where 25% of the population spoke Welsh according to the 2011 Census. Small Villages are not listed in policy DM14 as the policy approach only generally allows for small infill schemes for 1 or 2 dwellings, or minor extensions for affordable housing. However, larger schemes may be permitted in Small Villages where they are supported by Village Action Plans.</p> <p>The Council agrees to amend the text as a MAC to clarify the approach towards requiring language action plans where there is potential for cumulative impact and also in smaller villages. First sentence of para. 4.2.66 To be amended to the following:</p> <p><i>“Language Action Plans may also be required to accompany housing developments of less than 10 units, or where developments are proposed in Small Villages within the Community Council areas of the Welsh Speaking Strongholds, if it is considered that such development, together with other approved or proposed developments, would have a cumulative impact on the Welsh language, which would warrant the need for mitigation measures.”</i></p> <p>With regards to windfall sites, it is explained in the final sentence of 4.2.66 that Language Impact Assessments may be required in exceptional circumstances in connection with unanticipated windfall schemes. In accordance with para 4.13.5 of PPW (edition 9) this requirement would only within the areas identified as Welsh speaking Strongholds (Community Councils where more than 25% of the population spoke Welsh according to the 2011 Census). Therefore, the final sentence of para 4.2.66 should be amended as a MAC to read:</p> <p><i>“It may be appropriate to require a Language Impact Assessment in connection with unanticipated windfalls developments of a large scale or complex nature in areas within the identified Welsh Speaking Strongholds.”</i></p>
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<p><b>FFC46, Policy DM15 – Design and Resources</b></p> <ol style="list-style-type: none"> <li>1. What does 'where relevant' mean prior to criterion 1? (6945.U2)</li> <li>2. Welcomes insertion of criterion 4 however questions how 'locally significant' will be interpreted in practice. (6945.U3).</li> <li>3. Supports paragraphs 4.2.74A – 4.2.75B relating to the historic environment. (27.U5)</li> <li>4. Support Paragraph 4.2.75A (6945.U1).</li> <li>5. Paragraph 4.2.75A – it is not adequate to state that the County's historic environment is protected through national legislation. Listed buildings, conservation areas, Scheduled Ancient Monuments must be incorporated into the LDP to ensure protection over and above National legislation and guidelines (6945.U9)</li> <li>6. Policy is long and complicated covering a range of issue. Consider splitting it up to ensure clarity, avoiding duplication with other policies e.g. elements on open space, should these be combined with Policy DM2A? (1084.U26).</li> <li>7. Additional wording needed in the supporting text to recognise that sometimes compromises have to be reached in achieving all the policy requirements. (78.U7)</li> <li>8. Criterion 14 – clarification is required to explain the deliverability, viability and practical application of requiring developments to undertake investigations into heating networks. It is also not clear how this will be applied spatially. (1084.U27).</li> <li>9. Criterion 10 – additional wording suggested to refer to demonstrating that traffic implications do not significantly harm safety and amenity of other road users. (6235.U5).</li> <li>10. Criterion 11, add words "vermin, including flies, low frequency noise nuisance, shadow flicker, loss of visual amenity, impairment of private water supply..." after 'overlooking' and before 'any other planning matter'. (6235.U5). These words should also be added in para 4.2.48 after the word 'dust'.</li> <li>11. Criterion 12 – after 'environment' add 'or on the requirements of existing utility (e.g. water) users'. (6235.U5)</li> <li>12. Changes noted. (6315U6)</li> <li>13. Para 4.2.55a, add reference to utility infrastructure not being a constraint where promoters bring forward additional capacity. (4601.U2)</li> </ol>	<ol style="list-style-type: none"> <li>1. Each application needs to be determined on a case by case basis and whereas every application should be assessed against this policy not every application will need to be assessed against every criterion. For example not every development proposal will have highway implications or be of 10 dwelling units or more making those criteria irrelevant. It is therefore considered that the determination of which criteria are relevant is self-evident rather than a matter of judgement.</li> <li>2. An explanation of the approach towards locally significant assets is explained within para. 4.2.75B of the supporting justification for policy DM15 in relation to the historic environment. Examples of valuable local assets are provided, however this list is not exhaustive, and it is also explained that regard should also be given to the Historic Environment Record. Supplementary Planning Guidance is also proposed in relation to non-designated assets. Nationally designated assets are protected under national legislation.</li> <li>3. Support noted</li> <li>4. Support noted</li> <li>5. The Council considers that this paragraph is correct in stating that many elements of the historic environment are protected through national legislation and guidance. The LDP should not repeat national policy and guidance. It would not be possible to secure protection over and above national legislation through the LDP as legislation is set at a national level.</li> <li>6. The structure of this amalgamated policy was in response to the Inspector's letter to the Council dated 6/5/2016. However it is recognised that further work needs to be done to improve the Policy as a Matters Arising Change.</li> <li>7. Comments noted. However no changes are required to the plan as all applications will be determined on their own merits as set out in Planning Legislation.</li> <li>8. Comment is noted. This process will be outlined in more detail within the Renewable Energy SPG. A straightforward equation would be employed by developers to determine whether or not their proposal qualified for further more detailed exploration. This more detailed exploration is considered to be only necessary for a relatively very small number of cases, and in these cases there may be significant</li> </ol>
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<p>14. Para. 4.2.48a, wording suggestion in relation to the mitigation of minerals operations. (6489.U5)</p>	<p>advantages to them installing a heating network.</p> <p>9. The wording as the Policy currently stands is considered satisfactory without further amendment because it says development proposals will only be permitted where they incorporate the access needs of all transport users, especially pedestrians and cyclists. The influence of this policy on highway safety is highlighted in the supporting text.</p> <p>10. LDP policy can only contain planning matters; issues such as vermin and flies are controlled elsewhere. Some of the other issues are listed under Policy RE1 and do not need to be repeated in DM15. However with regards to the impairment of private water supplies the Council will consider inserting a paragraph in the supporting justification under Policy DM2 as a Matters Arising Change. This will be to clarify that the policy to protect the natural environment will also enable the protection of private water supplies.</p> <p>11. The comments are noted however the Council would prefer to amend the Policy to read “<i>without unacceptable adverse effect on the surrounding environment and communities</i>” as a Matters Arising Change.</p> <p>12. Noted</p> <p>13. Comments noted but the Council does not consider para 4.2.55a needs amendment because it refers at the end to satisfactory alternatives being found.</p> <p>14. This support is noted. The Council does not in principle object to the proposed amendment as it provides additional clarity to the example cited in the supporting justification text. The Council will consider the proposed wording and if appropriate will recommend the amendment as a Matters Arising Change.</p>
<p><b>FFC47, Policy DM15A – Air Quality Management</b></p> <p>1. Request additional wording in the reasoned justification regarding human health and poultry / large scale agricultural units (6235.U6)</p> <p>2. Para 4.2.7Y – remove the word ‘more’; Para 4.2.7BB, recommend ‘points of sources’ also added e.g. livestock units; Para 4.2.7CC, amend plan to refer to smaller units rather than larger units, as evidenced by NRW’s Powys Poultry Pilot Study (2015). Large units are regulated. (6315.U7).</p>	<p>1. Comments noted but the Council has not received any evidence that poultry units do have a significant effect on human health to support the inclusion of additional wording.</p> <p>2. Para 4.2.7Y - agree remove the word ‘more’ as a Matters Arising Changing. Para 4.2.7BB - comments noted but the Council would prefer not to amend this paragraph. Para 4.2.7CC - the Council agree to replace “large scale agricultural units” with “<i>agricultural units</i>” as a Matters Arising Change.</p>
<p><b>FFC48, Deletion of Policy DM16</b> Object to the deletion of Policy DM16 – Protection and Enhancement of the Historic</p>	<p>Policy DM16 was deleted as it was considered by the Inspector to repeat the requirements of national policy. Chapter 6 of</p>

<p>Environment. PPW should be incorporated into the Plan. (6945.U4)</p>	<p>PPW advises that LDPs must only identify locally specific policies in relation to the historic environment. Matters relating to local distinctiveness and local heritage assets are included within proposed policy DM15. Cross references are included in the LDP to any relevant PPW policies where it is considered they provide sufficient policy advice.</p>
<p><b>General comments</b></p> <ol style="list-style-type: none"> <li>1. Recognises that the LDP should not duplicate national policy, however due to exceptional historic in Powys, a specific local plan policy is needed. (6235.U4)</li> <li>2. More information on Local Growth Zones should be provided. (6235.U4)</li> <li>3. FFC40 – Deletion of Policy DM10 – Amenities – what has replaced it? (6235.U4)</li> </ol>	<ol style="list-style-type: none"> <li>1. Policy DM16 was deleted as it was considered by the Inspector to repeat the requirements of national policy. Chapter 6 of PPW advises that LDPs must only identify locally specific policies in relation to the historic environment. Matters relating to local distinctiveness and local heritage assets are included within proposed policy DM15.</li> <li>2. This comment is noted but the Council recommends no change to the LDP. Local Growth Zones are a regeneration initiative supported by Welsh Government and additional information can be found elsewhere in the LDP.</li> <li>3. Policy DM10 - Amenities has been included within the revised Policy DM15 – Design and Resources to improve the clarity and the effectiveness of the LDP, in accordance with the Inspector's letter to the Council dated 6/5/2016.</li> </ol>

### Issue 10 - Welsh Language and Culture and Heritage

Summary of Comments Raised	Council Response and Recommendations
<p><b>FFC44, Policy DM14 – Development in Welsh Speaking Strongholds</b></p> <p>The LDP is defective regarding the Welsh language for the following reasons:</p> <ol style="list-style-type: none"> <li>1. Lack of research with Welsh Language Society/Initiatives to collate data relating to the Welsh Language;</li> <li>2. No analysis of 2011 Census data;</li> <li>3. The effect of previous policies on the Welsh language.</li> <li>4. Requirement following Planning Bill to commission research work on effect of new housing developments in areas with over 25% of Welsh speakers, during the period of the last LDP.</li> <li>5. Requests that linguistic assessments are required to be commissioned to assess any developments within areas of linguistic sensitivity. (6930.U3)</li> </ol>	<p>The Council does not consider the LDP to be defective regarding the Welsh Language and responds to the points made as follows:</p> <ol style="list-style-type: none"> <li>1. Menter Iaith Castell-Nedd Port Talbot undertook the Welsh Language Impact Assessment (EB20) to inform the preparation of the LDP, which involved collating data relating to the Welsh language. Further detail on the data used to inform the preparation of the LDP can be found within the Welsh Language and Culture Topic Paper Update January 2016 (EB41).</li> <li>2. The evidence-base for the LDP has involved an analysis of the 2011 Census data. Further analysis can be found within the relevant Topic Paper (EB41).</li> <li>3. The use of the Welsh language is dependent on a range of factors. The proposed future LDP policy is aimed at supporting and protecting Welsh language and culture in the Welsh Speaking strongholds.</li> <li>4. The Planning (Wales) Act 2015 (which is the enactment of the Planning Bill) introduces the requirement for the LPA to keep under review the extent to which the Welsh</li> </ol>

	<p>language is used in the area. This will be undertaken to inform the monitoring and review of the LDP.</p> <p>5. TAN20 makes it clear that planning applications should not be subject to further Welsh language impact assessments as the impacts have already been assessed as part of the LDP process.</p> <p>NOTE (the Council response to points made within this representation in relation to the Sustainability Appraisal is provided under Issue 15)</p>
<p><b>FFC45 Supporting justification for policy DM14 – Development in Welsh Speaking Strongholds</b></p> <p>1. Para 4.2.66 - More clarity is required regarding cumulative windfall sites. Later sites may be penalised and have to provide a language impact assessment, whereas the first ones may avoid this. (3085.U11)</p> <p>2. Para 4.2.64 – The words ‘including built heritage and archaeology’ should be added into the last sentence. Clarification of the link to community facilities should also be given. (6945.U8)</p>	<p>1. Reference to cumulative impact under para. 4.2.66 was intended to be read in the context of the requirement for language action plans. It was not intended to apply to language impact assessments. The practical issues raised are noted, however the cumulative impact of proposed development is a material planning consideration and therefore should be addressed.</p> <p>NOTE: it is proposed to amend the text to this para. in response to rep 1084.U3 to FFC45. This is provided under Issue 9.</p> <p>2. With regard to the inclusion of archaeology the Council can advise that these assets are part of the historic environment (which is the term applied within the Further Focussed Changes Schedule, not ‘built heritage’) and in the Council’s opinion do not need listing separately. Reference to protecting existing community facilities and services is listed as a way in which the LDP supports the Welsh language and culture, as is protecting the historic environment.</p>
<p><b>FFC61, Policy H2 – Housing Delivery</b> Explanation required as to the requirement within Policy H2 (Criteria ii) for phasing plans in Welsh speaking strongholds and relationship to the Welsh Language policy DM14. (1084.U4)</p>	<p>Para.4.6.5 in the supporting justification to policy H2 states that a phasing plan is important for sites in Welsh language speaking strongholds and therefore could be interpreted to mean that a phasing plan will be required in connection with all developments in Welsh Speaking strongholds. This is not the intention. In order to ensure consistency in the understanding and approach towards phasing both policy H2 and policy DM14, it is suggested that the wording of the first sentence of para.4.6.5 is amended as follows as a MAC:</p> <p>“4.6.5 A phasing plan is important for sensitively located or larger development sites, including those in Welsh language speaking strongholds, and may be appropriate in order to mitigate the impact of housing developments on the Welsh language and culture in Welsh language speaking strongholds, as is explained under</p>

policy DM14.1

**Issue 11 - Settlement Allocations and Commitments**

<b>Summary of Comments Raised</b>	<b>Council Response and Recommendations</b>
<p><b>FFC136 Llanymynech P40 HA2</b> The housing allocation may impact on the Montgomery Canal restoration, and further investigation is required regarding sewerage infrastructure. (449.U1)</p>	<p>The increase in planned residential units on this and other allocated housing sites across Powys is a result of the updated viability evidence (paper EB13) which points towards increasing densities to ensure that developments are viable, attractive to developers and ultimately deliverable within the Plan's timeframe so that housing needs are met. It has the added benefit of making more efficient use of land which is a national Government priority. At the development management/planning application stages the site's context and constraints will be most closely investigated to ensure that any approved scheme is suitable for the location and does not result in adverse effects. Severn Trent has commented on the suitability of the site for housing development with confirmation that no capacity issues are envisaged. Policy DM1 Planning Obligations will be of interest and re: the Montgomery Canal, further protection is afforded by policies SP7 and TD3.</p>
<p><b>FFC139 Montgomery P45 HA1</b> Concerned about the scale of development which could result in 300 dwellings. Town has restricted infrastructure and services, narrow roads, no employment land allocations, etc. The provision of a new primary school should be prioritised. The land area should be reduced, and the highway changes ensured. (517.U3)</p>	<p>The increase in planned residential units on this and other allocated housing sites across Powys is a result of the updated viability evidence (paper EB13) which points towards increasing densities to ensure that developments are viable, attractive to developers and ultimately deliverable within the Plan's timeframe so that housing needs are met. It has the added benefit of making more efficient use of land which is a national Government priority. At the development management/planning application stages the site's context and constraints will be most closely investigated to ensure that any approved scheme is suitable for the location and does not result in adverse effects. The proviso for a development brief recognises the particularly sensitive nature of the site and the importance of a comprehensively planned scheme including road improvements. There is no suggestion that potential future phasing will amount to 300 units. Phasing beyond 2026 is currently outside the scope of the LDP and would be subject to full review at a later time. The Council will work closely with all stakeholders in future development discussions. Policy DM1 Planning Obligations will be of interest.</p>
<p><b>FFC90, Guilsfield, P20 HC1</b> Object to the Sarn Meadows site as it is not deliverable and insufficient allocations are made in Guilsfield. An alternative site</p>	<p>The Welsh Government has advised the Council to include all committed housing sites with extant planning permission (the land bank) in the LDP. The Council realises some</p>

<p>(ASN36, Candidate site 843) has been previously suggested as suitable (5695.U1).</p>	<p>of these sites have delivery issues. However, the non-delivery allowance of 40% which the LDP applies to committed sites not started is considered sufficient to account for sites that are not ultimately delivered within the Plan period.</p>
<p><b>FFC90 Four Crosses</b> Four Crosses should have additional growth. FFC22 confirms a pro-rata approach is being applied to the distribution of housing growth and Four Crosses has an allocation of 32 and not 46. (6210.U6 and 6210.U7)</p>	<p>The Council has some doubt as to whether these comments are admissible at the FFC stage and understands the Representor has made similar comments earlier in the process which have been responded to. Furthermore, the Representor has an alternative site submission which will be considered by the Inspector. The Council advises that in attributing new growth, sites with extant permission were accounted for and regard had to growth since the Plan's base date of 2011. The Council considers the LDP to be sound with sufficient, suitable land being made available at Four Crosses. Most settlements also have additional windfall growth opportunities which together with land allocations will meet identified needs. No change to the Plan.</p>
<p><b>FFC90, Llanfair Caereinion, P30 HA1</b> An additional 10 dwellings is not sufficient for the town. Additional land is required and the site allocation should be extended. (Deposit representations 5318.V1 &amp; V2).</p>	<p>The increase in planned residential units on this allocated housing site is a result of the updated viability evidence (paper EB13) which points towards the importance of density in ensuring that developments are viable, attractive to developers and ultimately deliverable within the Plan's timeframe so that housing needs are met. When looking at the density for the site it was recognised that part of the developable area of the site had not been accounted for in the site's planned residential units. Therefore a further 10 units were added to the number of planned dwellings. The overall number of units proposed for Llanfair Caereinion and the inclusion of Alternative Sites is not part of this Further Focussed Change.</p>
<p><b>FFC90 Buttington Brickworks, P59 EA1</b> Object to the inclusion of the additional wording on industrial remains and potential prior archaeological intervention. There is no evidence of this, and the wording should be removed. (5939.U1)</p>	<p>Comments noted but the additional text derives from stakeholder feedback at the Focussed Changes stage. The Council considers that constraints information is important and only contributes usefully to the process. The Council therefore recommends no change to the LDP.</p>
<p><b>FFC90 Llanbryn-mair, P26 HA1</b> Object to the increased density (17 to 19 units) because it does not reflect local needs and contradicts other policies in the LDP including the protection of the Welsh language. The village needs a collection of small sites spaced out in the parish. Alternative sites should be revisited. The site allocation should be removed.(6154.U2, 6930.U2). NOTE: Whilst this representation has been made in relation to the site allocation, reference is also made to concerns relating to</p>	<p>The comments received do not focus on the change in density addressed in FFC 90. The objections have previously been addressed in representations received during earlier consultation stages.</p> <p>Response to Welsh language aspects: 1. Consideration has been given to the decrease in the number of Welsh speakers in Powys as part of the LDP. This is recognised as a characteristic of Powys (para. 2.2.8a), as a key issue and consideration for the Plan (31. Under section 2.4 of the LDP), and within</p>

<p>the Welsh language, as follows:</p> <p>1. No consideration has been given to the results of the 2011 Census, the 5% reduction in the number of Welsh speakers and the social change occurring.</p> <p>2. In relation to the growth strategy and housing distribution of the LDP, this contravenes the alleged principles of supporting and protecting the Welsh Language and Culture in Powys.</p>	<p>the supporting justification for policy DM14 (4.2.61). The Plan seeks to support and protect Welsh language and culture in Powys (LDP objective 15).</p> <p>2. Para. 4.2.65 explains how the LDP and Strategy and appropriate housing distribution support the Welsh language and culture in Powys.</p>
<p><b>Presteigne Housing Allocations</b> Are the housing allocations in Policy H1 consistent with Appendix 1? (525.U2)</p>	<p>This comment is noted. It is agreed that the area for housing on site P51 MUA1 identified in Policy H1A of the LDP be amended to be consistent with Appendix 1, and this editorial correction will be recommended as a Matters Arising Change to the LDP.</p>
<p><b>Machynlleth, P42 HA4 Newtown Road</b> The proposed allocation refers to flood risk issues which would conflict with TAN15 and circular 30/2007. The LDP must demonstrate that the allocation (or any alternative site) has the capacity to accommodate the needs and avoids areas of flood risk. (1084.U7).</p>	<p>The County Council has applied for planning permission for a gypsy and traveller site on an alternative site (the site currently occupied by the family). A decision on this planning application is expected imminently and further evidence will be submitted to the Examination. If the proposed site obtains planning permission, it will be necessary to propose a Matters Arising Change to the LDP.</p>
<p><b>Flood risk – General Comment</b> Various sites include areas in flood zones C1 and C2. The LPA needs to demonstrate that it has complied with National policy and that all sites can accommodate the scale of growth planned and are deliverable in the plan period. (1084.U21)</p>	<p>It is recognised that there may be some allocations within C1 and C2 but these have been allocated in line with the SFCA and National Guidance. All of these sites will require a new / updated FCA at the Planning Application Stage. Appendix 1 may need to be reviewed as a Matters Arising Change to make sure it stipulates this for each of the sites in question and gives more information on the nature of the flood risk.</p> <p>There are some historic commitments with extant planning permission shown in Appendix 1 that are contrary to current national policy. The 40% non-delivery allowance, applied to the contribution these sites make to the overall housing provision figure, serves to account for those sites that are unlikely to come forward due to constraints such as flood risk.</p>
<p><b>FFC90 – Dwr Cymru Comments</b> Dwr Cymru has provided comments in relation to the capacities of settlements for water supply, sewerage connection and waste water treatment. (6348.U1)</p>	<p>A statement of common ground (SOCG) is being prepared between Dwr Cymru and the Council and this will be submitted to the Examination. It is recommended that Appendix 1 of the LDP be amended as necessary as part of the MACs.</p>

## Issue 12 - Renewable Energy

Given the volume of representations received on the issue of renewable energy and most notably in response to FFC79, Policy RE1 – Renewable Energy, and the proposed introduction of Local Search Areas, it has been necessary to analyse the comments in a generic manner. The following table sets out the main issues and points that have been made and the Council's

recommended response. (N.B. Representor / representation numbers are not shown in the table).

Summary of Comments Raised	Council Response and Recommendations
<p><b>Consultation undemocratic</b></p> <ol style="list-style-type: none"> <li>1) Consultation time too short, insufficient notice and lack of publicity.</li> <li>2) No notification of changes to policy and nothing in the press advising of changes.</li> <li>3) Local public opinion not considered. RE and LSAs should have been considered and consulted on separately before being included in LDP.</li> <li>4) Difficult for views to be taken into account at this late stage.</li> <li>5) Public meetings should have been held.</li> <li>6) Website hard to access and contains too much information; hard to find FFC forms; no CDs with information available.</li> <li>7) Not enough time for Community/Parish Councils to consult with the people, and should not be relied on to do so.</li> <li>8) Excessive influence and interference by the Welsh Government.</li> <li>9) Expectation for full consultation on future planning matters if and when matters arise.</li> <li>10) Risk of legal challenge as no public consultation.</li> <li>11) Conflict with Aarhus Convention in terms of public consultation.</li> <li>12) Policy presumption already in favour of wind solar development.</li> <li>13) Lack of cross-border consultation (Shropshire – impacts on landscape, transport, tourism, flooding, blight, infrastructure).</li> <li>14) Welsh Government shouldn't influence local decisions.</li> </ol>	<p>All aspects of the LDP have been and are the subject of public consultation. The terms of this consultation are specified in LDP legislation and guidance and these have formed the basis of the Council's LDP Delivery Agreement (LDP05), and the Community Involvement Scheme contained within it, which itself was the subject of public consultation. The Council has not deviated from those terms and has applied exactly the same process for the FFC Consultation as it has for all of the previous LDP consultation periods. (Note: The LDP Consultation Report (LDP026) also records the consultation undertaken in preparing the LDP).</p>
<p><b>Significant changes to LDP at FFC stage</b></p> <ol style="list-style-type: none"> <li>1) Fundamental Change to the Plan.</li> <li>2) Introducing significant changes at a late stage in the LDP process.</li> <li>3) Unsound rationale for changes.</li> <li>4) Evidence not robust to support increase in contribution at FFC stage.</li> <li>5) No evidence to justify changes to Plan policy.</li> <li>6) Not deliverable in plan period.</li> <li>7) Contrary to LDP guidance.</li> </ol>	<p>Comments are noted. However, the Council disagrees that FFC79 represents a fundamental change to, or goes to the heart of, the Plan. Previous iterations of the LDP addressed renewable energy. The Council accepts that the proposed Local Search Areas were not included in previous versions of the LDP, but these have been added to the renewable energy policy in response to comments from Welsh Government at the Focussed Changes stage. Having considered the FFC comments, the Council recommends that further work should be undertaken on the Renewable Energy Assessment (EB17) and supporting evidence, and that this will be submitted to the Examination in due course along with any consequential Matters Arising Changes.</p>



<p><b>Inconsistent with other parts of Plan</b></p> <ol style="list-style-type: none"> <li>1) Against other LDP policies and strategic objectives protecting and enhancing landscape, protecting National Trails, biodiversity, flood prevention; promotion of all year round tourism.</li> <li>2) Conflict with LDP objectives 6 and 7 relating to economy.</li> <li>3) Conflict between LDP objectives and renewable energy target.</li> <li>4) Conflict with policies relating to countryside access.</li> <li>5) Conflict with para. 5 (i) and 5 (ii) of the LDP.</li> <li>6) Conflict with historic environment objectives.</li> <li>7) Ambiguous wording of Objective 5.</li> <li>8) Policy does not conform with passage 3.2.1A (5) under the LDP strategy.</li> <li>9) Conflicts with land uses identified in safeguarding policies.</li> </ol>	<p>Comments are noted however the Council disagrees with these representations. The LDP exists to provide a planning policy framework for determining proposals all kinds of land use and development across the County. The Objectives outline the most important priorities that the LDP aspires to work towards. As such they ensure that where development is necessary it is done so in a way that achieves the balancing act between these most important priorities that are enshrined in the Objectives. If development compromises any of these objectives in a way that is considered unacceptable then the development can be refused.</p>
<p><b>Contribution Not Meeting Local Needs</b></p> <ol style="list-style-type: none"> <li>1) Not supported by National Policy where no national targets are set.</li> <li>2) New target of 600MW compared to 50MW in previous versions disproportionate to any local need.</li> <li>3) Significant contribution already made by Powys towards renewable energy generation which is already self-sufficient in RE.</li> <li>4) Opposed to meeting targets for supplying electricity outside Powys.</li> <li>5) Increased renewable energy contribution figure with little robust supporting evidence.</li> <li>6) Powys at capacity from renewables.</li> <li>7) Solar generation target will need 1850 acres of land take.</li> <li>8) Extension of previous energy target is both arbitrary in terms of its attempted imposition on the mid-Wales area and out of kilter with present overall UK policy.</li> <li>9) Targets set encompass unviable areas - the 25% by 2026 is NOT a reduction in the absolute target but only a phasing issue.</li> <li>10) More consideration needed in relation contribution from micro and community-based energy generation.</li> <li>11) Plan should be flagship more appropriate community based technologies (for local need).</li> </ol>	<p>Comments are noted. Further work is to be undertaken on how the Renewable Energy 'Contribution' (as distinct from a 'Target') is determined, and this will be submitted to the examination in due course along with any consequential Matters Arising Changes (MACs). However, it should be noted that the Council has had to work from the position that no accepted method exists for identifying what PPW describes as an 'optimised contribution'.</p>
<p><b>Landscape and Visual Impact</b></p> <ol style="list-style-type: none"> <li>1) Beauty of countryside will be destroyed by widespread wind turbine developments.</li> <li>2) Failure to take into account impact on landscape - industrialisation of Landscape on scale of gross magnitude.</li> <li>3) Not in accordance with the duty to have regard to the purposes of the National Park and potential for significant harm to the National Park designation.</li> <li>4) No LANDMAP analysis so fails to take into</li> </ol>	<p>The comments are noted. The quality of the outstanding Powys landscape is recognised in the LDP and is a key consideration in the reconciliation of competing land-use demands. Following the consultation, additional work is being undertaken by the Council on the REA (EB17) and the supporting evidence base. This will be submitted to the examination in due course along with any consequential MACs. This work may lead to further refinement and</p>

<p>account LANDMAP high quality landscape designation</p> <p>5) Impacts on visual and spiritual elements.</p> <p>6) Council should have identified SLAs.</p> <p>7) Ambition for the Cambrian Mountains to be designated AONB.</p> <p>8) Demarcation of uplands as LSAs despite high rating in LANDMAP visual and sensory layer.</p> <p>9) Impact of turbines, associated grid new roads and other road works required upon landscape not considered.</p> <p>10) High number of wind farms already visible from every footpath and road.</p> <p>11) Not considered impact of solar glare.</p>	<p>assist in addressing some of the concerns raised.</p>
<p><b>Grid and Associated Infrastructure</b></p> <p>1) Impact on local residents, wildlife and landscape of associated additional transmission infrastructure.</p> <p>2) No consideration given to the grid availability, grid capacity and transmission infrastructure (pylons / cables / substations) requirements of these developments.</p> <p>3) Objects to pylons to serve LSAs.</p> <p>4) No consideration of landscape impact of transmission infrastructure on Mid Wales and North Shropshire.</p> <p>5) Public survey carried out by Kinnerley Parish Council confirmed majority did not support large wind farms or transmission infrastructure.</p>	<p>Comments noted. The Council is undertaking further work on the REA (EB17) and the supporting evidence base in relation to Local Search Areas, and recognises that PPW states that assessments for development plans should take into account issues associated with grid connection (PPW, Para 12.9.3). The further work will therefore take account of grid connection issues, and will be submitted to the examination in due course along with any consequential MACs.</p>
<p><b>Wildlife and Biodiversity / Geodiversity Constraints</b></p> <p>1) Failure to take into account impact on ecological value and important habitats.</p> <p>2) Proximity to and impact on wildlife reserves and protected plant and animal species.</p> <p>3) Wildlife will be severely affected</p> <p>4) Not properly considered Ancient Woodlands, SSSIs, County Wildlife Trust Reserves.</p> <p>5) Damage to peat, an important carbon sink.</p> <p>6) Upland soils are sensitive and should not be damaged.</p>	<p>Whilst the REA (EB17) took into consideration environmental constraints (such as statutorily protected or designated sites, ancient woodland, etc.), it is not feasible to consider site specific ecological issues in such a high-level study. However, as is normal practice, such matters would be considered at the planning application stage in relation to specific development proposals and other policies within the LDP enable such matters to be protected.</p> <p>Further work on the REA and supporting evidence is being undertaken by the Council and it is recommended that published mapped peat (defined as thick peat greater than 1m, BGS maps) should be incorporated in the REA as an additional constraint. This work will be submitted to the examination in due course along with any consequential MACs.</p>
<p><b>SAMs / Historic Environment Constraints</b></p> <p>1) Sites of archaeological significance within the LSAs.</p> <p>2) Impact on ancient monuments.</p> <p>3) Failure to take into account archaeological and historic landscapes and destruction of these.</p> <p>4) Potential to damage unknown archaeology.</p>	<p>The REA (EB17), using the method set out in the REA toolkit (WPP50) considers various constraints including Scheduled Ancient Monuments. However, such monuments and their settings are in their own right protected by other legislation, should they be impacted on by development proposals.</p>

<p><b>Flooding / Hydrology / hydrogeology</b></p> <ol style="list-style-type: none"> <li>1) Impact on Watercourses.</li> <li>2) Peat removal leading to increased flooding.</li> <li>3) Diversion of Watercourses.</li> <li>4) Drinking Water Contamination by development.</li> <li>5) Foundations pollute drinking water with carcinogenic Trihalomethanes.</li> </ol>	<p>The REA (EB17) was a high-level study which was not able to incorporate detailed local flooding or hydrology issues. These would however be taken into consideration at the application stage when other policies within the LDP would be used to determine the application.</p>
<p><b>Common Land</b></p> <ol style="list-style-type: none"> <li>1) Relevant legislation relating to common land requires WG agreement and from those with rights and need for substitute land.</li> <li>2) Disruption to commoners rights / grazing</li> <li>3) Recreational access to Commons.</li> <li>4) Increased ease of access increases risk of agricultural theft.</li> </ol>	<p>The comments are noted. The REA (EB17) is a high-level study used to define search areas that are least constrained but that is not to say they are free from all constraints. Land ownership, whether common land or privately owned, may be one such constraint but it is not feasible to give this consideration in such a high-level study. It is a matter for individual land-owners to consent to or indeed propose any such developments on specific sites within LSAs. Commoner's rights would be a consideration at the development proposal stage. The LSAs identified in the high-level study are not in themselves development proposals although further work on the REA and supporting evidence base is being carried out and will be submitted to the examination in due course.</p>
<p><b>Tourism</b></p> <ol style="list-style-type: none"> <li>1) Detriment of tourism.</li> <li>2) Impact on the Economy</li> <li>3) Fear of loss of equine business</li> <li>4) Effect on tourism should be considered.</li> <li>5) Employment generated by construction would be low compared to tourism employment lost.</li> <li>6) Leave land undeveloped and suitable for tourism.</li> </ol>	<p>Comments noted. The Council considers that the LDP provides a means to create and maintain a balance between the competing interests for land use within the County. Should any applications for renewable energy development come forward in the LSAs or elsewhere in the county, they would be considered on their merits and in terms of any impacts they may have on tourism where evidenced.</p>
<p><b>Recreation / access / ROW</b></p> <ol style="list-style-type: none"> <li>1) Visitors come to enjoy and use Powys extensive rights of way.</li> <li>2) Adverse impact on open access land.</li> <li>3) National trails should have special protection.</li> <li>4) Effect on horses of noise, shadows and blade glare (safety issues) ignoring guidelines.</li> <li>5) Not considered highways access and issues of safety (walkers &amp; riders) caused by congestion on narrow lanes.</li> <li>6) Destruction of hedgerows and small roads.</li> <li>7) Reference to Capita Symonds 2008 report in relation to impact on highway network.</li> <li>8) Loss of amenity through noise of construction and traffic.</li> <li>9) Adverse impact on local traffic</li> </ol>	<p>Comments noted. The Council considers that the LDP provides a means to create and maintain a balance between the competing interests for land use within the County. Should any applications for renewable energy development come forward in the LSAs or elsewhere in the county, they would be considered on their merits and impacts on rights of way and recreational access will be material planning considerations, if appropriate.</p>

<p><b>Technology / safety / economics / CO2 benefits?</b></p> <ol style="list-style-type: none"> <li>1) Inefficient technology - windfarms are unreliable and intermittent.</li> <li>2) Opposed to scale of industrialisation.</li> <li>3). CO2 benefits of energy source not yet validated.</li> <li>4) Cost effectiveness of wind power, unreliable and not green.</li> <li>5) Solar levels relatively low in the hills compared to coastal areas.</li> <li>6) What happens at end of turbine lifetime?</li> <li>7) Lack of proof of technologies will work at these scales.</li> </ol>	<p>The LSAs are intended to identify areas of comparatively least constraint, based on a specific model form of development. Consideration of relative efficiency or cost effectiveness of particular technologies are beyond the scope of the LDP and would be for developers or land owners to consider prior to making any application.</p>
<p><b>PPW / National Guidance</b></p> <ol style="list-style-type: none"> <li>1) Contrary to current U.K. government thinking on shore based renewable energy generation.</li> <li>2) Overrides Welsh Planning Policy stating that LDP should reflect local need.</li> <li>3) No regard to current legislation.</li> </ol>	<p>Comments noted. The Council has taken into consideration a range of UK and Welsh national policy and guidance in drawing up the LDP. However, the Council has taken account of the comments from Welsh Government at the Focussed Changes stage, which reflect a ministerial letter to all local planning authorities in Dec 2015 (WPP03), and the REA Toolkit (WPP50) to identify Local Search Areas for Local Authority scale developments (defined in PPW) in their LDPs.</p>
<p><b>TAN 8</b></p> <ol style="list-style-type: none"> <li>1) Objects to principle of TAN8.</li> <li>2) Should focus on confining proposals to SSA areas in accordance with TAN8.</li> <li>3) Contrary to purpose of TAN 8 to protect the high value Welsh hills from industrial sprawl of wind farms and solar sites outside SSAs and so limit landscape damage.</li> <li>4) Spread of windfarms beyond SSAs.</li> </ol>	<p>Comments noted. The Council has taken into consideration a range of UK and Welsh national policy and guidance in drawing up the LDP. However, the Council has taken account of the comments from Welsh Government at the Focussed Changes stage, which reflect a ministerial letter to all local planning authorities in Dec 2015 (WPP03), and the REA Toolkit (WPP50) to identify Local Search Areas for Local Authority scale developments (defined in PPW) in their LDPs</p>
<p><b>Environment (Wales) Act</b></p> <ol style="list-style-type: none"> <li>1) Contravention of Environment (Wales) Act 2016, in particular section 6 paragraphs 1 &amp; 2 in relation to biodiversity.</li> <li>2) Impacts will adversely affect the people of Powys and its landscape contrary to the Act.</li> </ol>	<p>Comments noted. The Council disagrees with the comments; by following the REA Toolkit 2015 (WPP50) biodiversity has been taken into account at a high level in the REA (EB17). Further work is currently being undertaken to review the REA and supporting evidence and this will be submitted to the examination in due course along with any consequential MACs.</p>
<p><b>Well-being / Sustainability</b></p> <ol style="list-style-type: none"> <li>1) Conflict with the aims and sustainability principles set out in the Well-being of Future Generations (Wales) Act 2015.</li> <li>2) Harm to health or wellbeing of residents</li> <li>3) Wildness of the area important to health and well-being</li> <li>4) Not considered Section 5 paragraphs 1 &amp; 2a the impact of roads, transmission lines and hubs on ecosystem, landscape, economy and society.</li> <li>5) Not complimentary to the Local Well-being Plan.</li> <li>6) Promotes loss of land from agriculture and local food production.</li> <li>7) Production of turbines not in Wales so</li> </ol>	<p>Comments noted. The Council is not legally required to comply with those sections of the Well-being of Future Generations Act that relate to the preparation of the LDP (see Examination Document ED020). However, although not required or necessary, the Council has completed an appraisal of the LDP and the 'Integrated Impact Assessment' of the LDP was published as part of the Further Focussed Changes Consultation (LDP041). That assessment, "concluded that the LDP's impact on Well-being is 'Good' or 'Very Good', except in those areas where, as a land use document, it has limited ability to influence outcomes (such as in Education, Protection of Children and people with</p>

<p>does not benefit wider economy</p>	<p>Protected Characteristics). One area however where it could possibly improve is with regard to reflecting the interests of people with protected characteristics, and there will be an opportunity to see how this can be improved at future reviews of the Plan. Overall the findings of the Well-being Assessment reiterates the conclusions of the previous Equalities Impact Assessment (2015) and Sustainability Assessment (SA) 2016 carried out as part of the LDP's existing assessment processes." (LDP37, FFC3).</p>
<p><b>SA / SEA / HRA / EIA</b>  1) Full SEA not undertaken in respect of RE1.  2) Lack of Environmental Impact Assessments.  3) Environmental impact ignored and unacceptable.  4) No SEA of RE1 Policy (is this a legal process?)  5) No landscape character assessment or habitat assessment as would have been carried out if SEA carried out correctly including considering cumulative impact.  6) The impact assessments appear to have been very superficial and selective in the criteria addressed.  7) Impact of RE1 on LDP Objective 17, landscape protection, glossed over in the SEA.  8) Table NTS4 indicates that such impact would be uncertain because the type, scale and location of development are unknown, however presumption in favour of solar and wind.  9) No consideration of alternative technologies.</p>	<p>The Council disagrees with these representations. The SEA has included an assessment of Policy RE1 (see section 6.4.9, LDP40, Oct 2016).</p> <p>Environmental Impact Assessments are not required at the plan making stage, i.e. for LDPs, but are likely to be necessary at the planning application stage.</p> <p>The REA follows the REA toolkit (WPP%0) and considers alternative renewable and low carbon energy sources.</p> <p>Further work is being undertaken by the Council on the REA (EB17) and supporting evidence and this will be submitted to the examination in due course along with any consequential MACs.</p>
<p><b>Environmental</b>  1) Upland environment important and should be protected.  2) Use of concrete bases not sustainable and adversely impacts on environment.  3) De-stabilisation of environment by loss of vegetation.  4) Loss of countryside and tranquillity.</p>	<p>The comments are noted. The quality of the Powys environment is an element embedded in the LDP and a key environmental consideration is the reconciliation of competing demands which largely is done at individual planning application stage. Following the consultation, additional work is being done on the REA (EB17) and its evidence base and this will be submitted to the examination in due course along with any consequential MACs, This may assist in addressing the concerns raised.</p>
<p><b>Land Ownership</b>  1) Land ownership not taken into account.  2) Includes land owned by National Trust - large scale wind farms not allowed National Trust through their legislation  3) Objection to mapping of land on Elan Valley Estate  4) RSPB will not promote windfarms on their reserves and lease holdings.</p>	<p>The comments are noted. The REA (EB17) is a high-level study used to define search areas that are least constrained but that is not to say they are free from all constraints. Land ownership may be one such constraint but it is not feasible to give this consideration in such a high-level study. It is a matter for individual land-owners to consent to or indeed propose any such developments on specific sites within LSAs. The LSAs identified in the</p>

	<p>high-level study are not in themselves development proposals although further work on the REA and supporting evidence base is being carried out and will be submitted to the examination in due course.</p>
<p><b>Residential Amenity</b></p> <ol style="list-style-type: none"> <li>1) Impact on local communities and residents.</li> <li>2) Communities already declining.</li> <li>3) Noise - increase buffer from residential properties so amend para 4.10.9B.</li> <li>4) Health issues from noise &amp; flicker.</li> <li>5) Visual impact on dwellings not considered properly.</li> <li>6) Should use 2km buffer from dwellings as in Scotland.</li> <li>7) Impact on tranquillity of rural life and quality of life of residents.</li> <li>8) Impact of noise from construction traffic.</li> <li>9) Impact on health and in terms of stress.</li> <li>10) Noise from an existing turbine – don't want more.</li> <li>11) Strobe lighting effect from an existing turbine.</li> <li>12) Not possible to quantify noise impact at the plan stage - dependent on many variables.</li> <li>13) Reference to Capita Symonds 2008 report in relation to impact on communities.</li> <li>14) Flicker, glare, amplitude modulation, and noise not studied.</li> </ol>	<p>The comments are noted. The Council believes that the LDP provides a means to create and maintain a balance between the competing interests for land use within the County and recognises the impact of the issues raised. The REA (EB17) is a high-level study identifying LSAs based on a specific model form of development. In light of the comments received the Council is undertaking further work on the REA and supporting evidence and will submit this to the examination in due course along with any consequential Matters Arising Changes. The LSAs are not specific development proposals in themselves and impacts that might arise from development proposals will be considered at planning application stage; Policy RE1 (criterion 5) seeks to protect residential amenity.</p>
<p><b>Property Blight</b></p> <ol style="list-style-type: none"> <li>1) Devaluation of properties</li> <li>2) Areas identified increase development value.</li> <li>3) Buffer Zones are inadequate and less than international recommendation.</li> </ol>	<p>Comments are noted, however the Council disagrees that the LSAs in themselves create planning blight because they are only areas of potential search and not firm development or infrastructure proposals which might trigger planning blight provisions. Further work is being undertaken on the REA (EB17) and the supporting evidence for LSAs and this work will be submitted to the examination in due course along with any consequential MACs.</p>
<p><b>REA Issues</b></p> <ol style="list-style-type: none"> <li>1) No locally specific information used - County wide dataset.</li> <li>2) Desktop-based exercise only.</li> <li>3) Unclear as to how the National Park has been employed as an additional constraint within the REA.</li> <li>4) Need for refinement of the areas to take into account landscape.</li> <li>5) Target/contribution not based on robust evidence.</li> <li>6) LSAs are not fit for purpose - withdraw or put through a more rigorous process of assessment, consultation and refinement.</li> <li>7) Constraints in the REA not pulled through</li> </ol>	<p>The REA (EB17) is a high-level desktop study aimed at identifying the least constrained areas. It was prepared in line with the REA toolkit (WPP50). However, in light of the comments received, further work is being undertaken on the REA (EB17) and the supporting evidence for LSAs and this work will be submitted to the examination in due course along with any consequential MACs.</p>

<p>to the LSAs.</p> <p>8) Landscape impact outside SSAs not considered.</p> <p>9) Difficulty understanding the Renewable Energy Assessment.</p> <p>10) Document looks rushed and is of poor quality – evidence unsound / unproven.</p> <p>11) AECOM have vested interest in promoting wind development as act for industry.</p> <p>12) Appropriateness of cumulative impact work.</p> <p>13) Lack of clarity on criteria for proposal assessments.</p> <p>14) Wind speed and consistency not addressed.</p> <p>15) radar and communication interference of turbines</p>	
<p><b>Topic Paper Issues</b></p> <p>1) Complicated and confusing RE topic paper.</p> <p>2) Increase in target should have been included in the Executive Summary.</p>	<p>Comments noted and, time permitting, revisions will be made to the Topic Paper following completion of the further work that the Council is undertaking on the REA (EB17).</p>
<p><b>Alternative Technologies</b></p> <p>1) Promote hydro/ wave power instead.</p> <p>2) Improving carbon sequestration, energy efficiency, energy usage, microgeneration.</p> <p>3) Solar should be incorporated into new builds and on roofs.</p> <p>4) Potential for hydro-power, heat and biomass generation in Powys.</p> <p>5) Grid connectivity constraints for hydro-power applies to other energy sources.</p> <p>6) Should only have off-shore wind and tidal energy.</p> <p>7) Provide grants for solar panels on buildings.</p> <p>8) Plan should be educating Powys in conserving energy.</p> <p>9) Reduce energy use in public buildings</p> <p>10) Micro nuclear reactors are a practical alternative.</p>	<p>Comments are noted. The REA has been undertaken in accordance with the REA toolkit (WPP50) and includes assessments of hydropower, biomass, energy from waste, landfill and sewage gas as well as building integrated renewables (such as solar panels), and combined heat and power schemes such as those in District Heating Schemes as well as wind and solar power. As a land use document the LDP cannot duplicate or contradict aspects of building control regulations. However the LDP contains policies that provide for, or in other cases encourage developers to consider, the implementation of such measures as energy efficiency, building integrated renewables or district heating schemes.</p>
<p><b>Generic LSA</b></p> <p>1) Designation of LSAs not necessary</p> <p>2) Identification of LSAs not properly carried out and poorly presented</p> <p>3) Objects to principle of designation of LSAs</p> <p>4) Inclusions of statutory designations including SSSIs and national nature reserves within LSAs</p> <p>5) LSAs should be properly considered and consulted before being included within the LDP</p> <p>6) Question how the LSAs will work and if similar to SSAs, RE developments will be a given almost automatic approval through LSAs – creates areas of presumed consent.</p> <p>7) LSA assessment not thorough</p> <p>8) Failure to take into account landscape or accessibility or electric grid accessibility.</p> <p>9) Designation of LSA's is weak and</p>	<p>The comments are noted. The REA (EB17) is a high-level desktop study aimed at identifying local search areas which present the least constraints. LSAs identify areas of the county that are comparatively less constrained than other areas. This does not mean that there are no constraints within them or that the often significant constraints that do exist would be ignored. On the contrary all constraints at the development proposal stage will need to be reconciled and remediated with all competing and conflicting interests. The LSAs do not preclude development proposals coming forward elsewhere in the County and neither is there a presumption in favour of such developments within the LSAs. Further work is being undertaken by the Council on the REA and supporting evidence and this will be submitted to the examination</p>

<p>unsubstantiated.                  10) Consider planning history – some areas already rejected.                  11) Not considered adverse community impacts</p>	<p>in due course with any consequential MACs.</p>
<p><b>LSA specific / boundary issues</b>                  1) Local Search Areas on land directly north of the BBNP boundary ignoring duty to protect national park.                  2) Reduce the size of LSAs to match Priority Areas defined in REA.                  3) Areas impractical for solar and wind energy due to local topography, shading from local ground and tree cover, and inadequate access.                  4) Specific LSAs have Landscape / Biodiversity Issues which are not addressed.                  5) LANDMAP not used to constrain LSAs.                  6) Questionable constraints used for defining boundaries.                  7) Why not include areas of National Park or Military?                  8) LSA boundaries appear to be drawn at random.                  9) Why all located on hilltops put solar and some wind in the lowlands.                  10) Inclusion of areas of high valued landscape and other constraints makes it harder to refuse unsuitable applications.                  11) Objections to specific LSAs for wind and solar and areas such as Usk and Wye valleys.</p>	<p>Comments are noted. Further work is being undertaken by the Council on the REA and supporting evidence and this will be submitted to the examination in due course with any consequential MACs.</p>
<p><b>Lack of Monitoring Framework</b>                  1) No monitoring targets or information for renewable energy and impacts.                  2) No monitoring renewable energy targets, ecosystem, local economy or society impacts, or to monitor impacts of LSAs.</p>	<p>Further work is being undertaken on changes to the proposed LDP Monitoring Framework in order to inform the Examination. The Welsh Government is working with the Local Authority to improve the monitoring framework.</p>

### Issue 13 - Plan Monitoring and Review

Summary of Comments Raised	Council Response and Recommendations
<p><b>FFC89 – The LDP Monitoring Framework</b>                  1. The timetable for the delivery of the proposed Gypsy and Travellers site allocations needs to be embedded in the monitoring framework. (1084.U6)                  2. Other improvements are required to ensure clarity and delivery: ranges are too extensive, lacking trigger points and unspecified actions. (1084.U28)                  3. The monitoring framework is incomplete and the LDP is therefore not in a fit state to go to consultation or to the Inspector. The version considered by Cabinet</p>	<p>1. Further work is being undertaken on changes to the proposed LDP Monitoring Framework to inform the Examination. This work includes changes to AMR 27 which is intended to monitor delivery of the proposed Gypsy and Travellers site allocations. The monitoring target will include a timetable for delivery of the site allocations.                  2. Further work is being undertaken on changes to the proposed LDP Monitoring Framework to inform the Examination. The Welsh Government is working with the Local Authority to improve the monitoring</p>



differs from the FFCs. Unwilling to comment on an incomplete framework; it needs to go out to consultation again. (6235.U8).	framework. 3. Further work is being undertaken on changes to the proposed LDP Monitoring Framework to inform the Examination. Consultation will take place on any changes to the monitoring framework within the Matters Arising Changes.
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### Issue 14 - Miscellaneous

Summary of Comments Raised	Council Response and Recommendations
<b>FFC109 – Proposals Map 14</b> Delete the LSA (wind) adjacent to SENTA. (see comments below on Proposals map 16). (6872.U3)	Further work is being undertaken by the Council on the REA and supporting evidence and this will be submitted to the examination in due course with any consequential MACs. The constraint raised in relation to the operation of SENTA will be factored into this work.
<b>FFC109 – Proposals Map 15</b> Delete the LSA (wind) to the north west of Lanfechan. (see comments below on Proposals map 16). (6872.U4)	Comments noted. As above.
<b>FFC111 – Proposals Map 16</b> Policy RE1 and its criteria are not sufficient to guarantee the future utility of the Sennybridge Training Area (SENTA). The proposed LSA (wind) to the north east of SENTA has the potential to impact on air traffic to the site. The area to the east of SENTA is within the Cambrian 7T low flying template. The LSA should be removed. (6872.U2)	Comments noted. As above.
<b>FFC125, Guilsfield, P20 HC1</b> Object to the Sarn Meadows site as it is not deliverable and insufficient allocations are made in Guilsfield. (5695.U2)	The Welsh Government has advised the Council to include all committed housing sites with extant planning permission (the land bank) in the LDP. The Council realises some of these sites have delivery issues. However, the non-delivery allowance of 40% which the LDP applies to committed sites not started is considered sufficient to account for sites that are not ultimately delivered within the Plan period. In line with the LDP growth Strategy the Council is proposing two other new housing land allocations in Guilsfield which should serve to meet the village's needs.

### Issue 15 - SEA, SA, HRA

Summary of Comments Raised	Council Response and Recommendations
<b>SEA, SA, HRA</b> Object to the validity of the evidence base in respect of Policy RE1, and the compatibility of policies, and consequently the policy framework has not been rigorously appraised against the SEA regulations. (1519.U2)	The Council disagrees with this representation. The SEA has included an assessment of Policy RE1 (see section 6.4.9, LDP40, Oct 2016).
<b>SEA, SA</b> Severn Valley should be defined for funding purposes. (448.U2 & U3)	Noted but no change to the LDP. Funding schemes will define their own parameters and criteria for funding, which is not the purpose of the LDP.
<b>SEA, SA</b>	The Council disagrees with this

<p>In relation to FFC79 (Policy RE1), there has been no appraisal of the landscape, historic landscape, users of the land or local populace. (3822.U2)</p>	<p>representation. The SEA has included an assessment of Policy RE1 (see section 6.4.9, LDP40, Oct 2016).</p>
<p><b>SEA, SA, HRA</b>          Agree with the overall conclusions that the spatial strategy represents sustainable approach to growth and development and that the HRA screening of the FFCs is satisfactory. (6315.U8 &amp; U9)</p>	<p>Noted.</p>
<p><b>SEA, SA, HRA</b>          In relation to FFC44 (policy DM14), the LDP is defective regarding the Welsh Language as the Sustainability Appraisal does not give enough consideration to the Welsh Language, to understanding the vulnerable nature of Welsh communities and to the effects of housing developments on Welsh communities. Also reference to the need to consider the effect of each option on the Welsh Language (TAN20) (6930.U4)</p>	<p>The Sustainability Appraisal of the plan has included an assessment of the likely significant effects of the plan on the use of Welsh language in Powys. In accordance with Technical Advice Note 20, the Sustainability Appraisal of the Plan assessed the impact of the spatial strategy, policies and allocations on the Welsh language and was found to have an overall positive impact.</p>

## **10. Compliance with the Community Involvement Scheme**

**10.1** 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.