

**CYNGOR SIR POWYS COUNTY COUNCIL**  
**DELEGATED PORTFOLIO HOLDER REPORT**

3<sup>rd</sup> July 2014

**REPORT AUTHOR:** County Councillor M.R. Harris  
Portfolio Holder for Regeneration and Planning

**SUBJECT:** Powys Local Development Plan – Deposit Plan and  
Assessment Reports Amendments

---

**REPORT FOR:** Decision

---

## **1. Summary**

1.1. On the 27<sup>th</sup> May 2014 Powys County Council approved the following documents for public consultation purposes:

- (a) The Powys Local Development Plan Deposit Plan:
  - Volume 1 – Written Statement - Appendix 1
  - Volume 2 – Proposals and Inset Maps – Appendix 2
- (b) The Habitats Regulations Assessment Report (HRA) – Appendix 3
- (c) The Environmental Report (Strategic Environmental Assessment) – Appendix 4
- (d) The Sustainability Appraisal Report (SA) – Appendix 5.

1.2 During the Powys County Council meeting on the 27<sup>th</sup> May 2014, having heard the officers' presentation and debated various parts of the Plan, the Council resolved to make the following amendments, described as follows in the minutes:-

### **'8. Inset Maps**

RESOLVED that proposed site P58 HA9 be removed from Inset Map P58E.

RESOLVED that the Portfolio Holder for Regeneration and Planning be given delegated authority to deal with site specific issues with local members, including a replacement allocation for the allocated site removed in Ystradgynlais.'

1.3 This report sets out any site specific issues that have been considered by the portfolio holder and that have resulted in further amendments to documents listed (a) to (d) in paragraph 1.1 of this report.

## **2. Proposal**

2.1 Following the removal of site P58 HA9, a replacement allocation for Ystradgynlais has not been identified.

2.2 Following discussions between officers, relevant local members and the portfolio holder, it was agreed that the following amendments should be made:

- Additional land forming part of candidate site No. 1094 should be allocated for housing in Boughrood (See Appendix 1).
- Additional land forming part of candidate site No.1106 should be allocated for housing in Bronllys (See Appendix 2).

- Additional land forming part of candidate site No.1108 should be allocated for housing in Llyswen (See Appendix 1).

2.3 It is also proposed that the following site density change should be made:

- The site capacity of housing allocation P10 HA1 in Carno should be amended from 5 to 13 to reflect the agreed housing density figure of 25+ units per hectare for large villages identified in Policy H3 of the LDP.

2.4 The changes listed in para 2.2 will result in amendments to the following documents:

- Inset maps for Boughrood & Llyswen and Bronllys.
- Table 4 – LDP’s Housing Provision and Appendix 1 of the Written Statement
- Sustainability Appraisal Report
- Habitat Regulations Assessment Report
- Strategic Environmental Assessment Report

### 3. One Powys Plan

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

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

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

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

### 4. Options Considered/Available

4.1 Preparation of the LDP is a statutory duty. There is the option not to make the amendments set out above, although they have the potential to result in additional objections to the deposit plan during consultation and further amendments at a focussed changes stage. Options for site allocations have been considered and debated with the involvement of the LDP Working Group, at the members Seminar and by involving as many interests in the preparation process as possible. Options for amendments to site allocations have been considered by the portfolio holder.

### 5. Preferred Choice and Reasons

5.1 The proposed amendments set out in section 2 are the preferred choice. It is based on evidence of need and has taken account of stakeholder involvement as far as reasonably practicable. The amended Deposit Draft LDP and assessment reports will be published for a statutory 6 week period of public consultation starting on 28<sup>th</sup> July 2014. Any comments received during the consultation period will be considered by the Council. Further stages of the LDP process, including an Examination in Public planned for 2015, are set out in the LDP Delivery Agreement.

## **6. Sustainability and Environmental Issues/Equalities/Crime and Disorder/Welsh Language/Other Policies etc**

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

6.2 In 2015 the LDP will be subject to Public Examination by a Planning Inspector who will test the plan for 'soundness'. The soundness tests include tests on sustainability and consistency with other relevant strategies.

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

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

## **8. Local Member(s)**

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

8.2 Proposed amendments set out in section 2 has been discussed with the relevant local members for the wards directly affected by the changes.

## **9. Other Front Line Services**

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

## **10. Support Services (Legal, Finance, HR, ICT, BPU)**

10.1 The Principal Solicitor (Planning) has commented as follows: "This report appears to be in accordance with the time table set out in the LDP Delivery Agreement and in accordance with legislative requirements".

10.2 Finance – There are no financial implications relating to the recommendations in this report.

## **11. Local Service Board/Partnerships/Stakeholders etc**

11.1 The Deposit Local Development Plan has the potential to impact on the Local Service Board, partnerships and stakeholders in a number of possible ways e.g. where services have a 'land use' requirement, or where service delivery is impacted on by the levels of development and growth being planned. The LDP process is a statutory process which provides informal and formal opportunities for engagement and involvement. The individual partnership organisations of the LSB will have the opportunity to comment on the Deposit Draft LDP during its public consultation period.

## **12. Communications**

12.1 The consultation on the Deposit Draft LDP and Assessment reports will need to be communicated as widely as possible and must comply with regulatory requirements and the involvement processes set out in the LDP Delivery Agreement (local advertisement, website and deposit locations, press release, public exhibitions / meetings).

## **13.1 Statutory Officers**

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

13.1.2 Strategic Director, Resources (Section 151 Officer) notes the comments made by Finance.

<b>Recommendation:</b>	<b>Reason for Recommendation:</b>
<p><b>To approve of the following amendments to the Deposit LDP and associated assessments for consultation purposes:</b></p> <ul style="list-style-type: none"> <li>• Additional land forming part of candidate site No. 1094 should be allocated for housing in Boughrood (Appendix 1).</li> <li>• Additional land forming part of candidate site No. 1106 should be allocated for housing in Bronllys (Appendix 2).</li> <li>• Additional land forming part of candidate site No. 1108 should be allocated for housing in Llyswen (Appendix 1).</li> <li>• The site capacity of housing allocation P10 HA1 in Carno should be amended from 5 to 13</li> </ul>	<p><b>To comply with:</b></p> <ul style="list-style-type: none"> <li>• The Town &amp; Country Planning (Local Development Plan) (Wales) Regulations, 2005</li> <li>• Environmental Assessment of Plans and Programmes (Wales) Regulations 2004.</li> <li>• The Conservation of Habitats and Species Regulations 2010.</li> <li>• The LDP Delivery Agreement.</li> </ul>

<b>Relevant Policy (ies):</b>	One Powys Plan 2014-17		
<b>Within Policy:</b>	Y	<b>Within Budget:</b>	Y
<b>Relevant Local Member(s):</b>	Relevant to all Members – see Section 8 above		

<b>Person(s) To Implement Decision:</b>		Service Manager – Spatial Planning & Built Heritage	
<b>Date By When Decision To Be Implemented:</b>		3 <sup>rd</sup> July 2014	
Contact Officer Name:	Tel:	Fax:	Email:
Peter Morris	01874 612283	01874 612339	Peter.morris@powys.gov.uk

### **Background Papers used to prepare Report:**

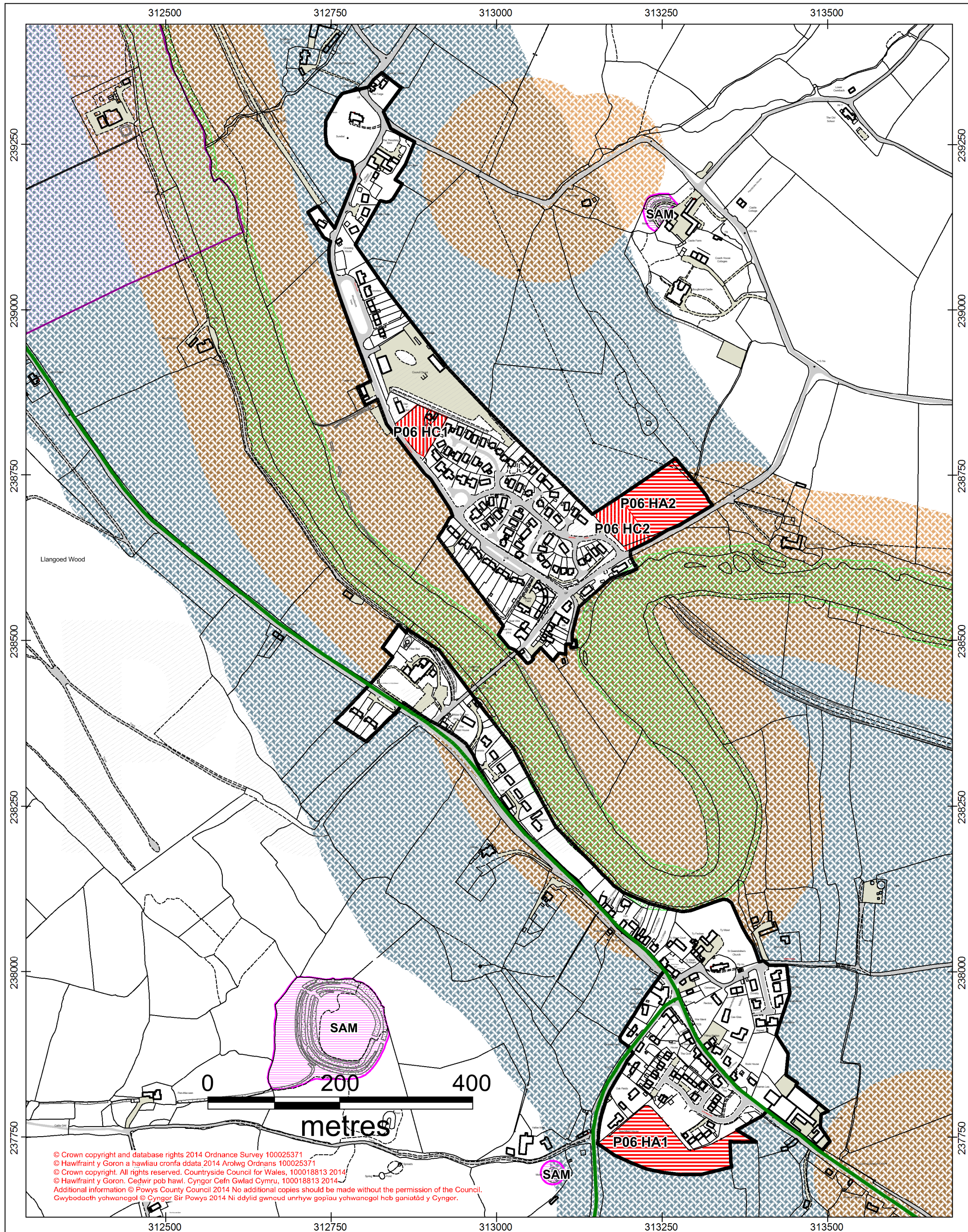
Previous Cabinet (20<sup>th</sup> May 2014) and Full Council (27<sup>th</sup> May 2014) Reports relating to the Powys LDP and meeting minutes.  
LDP Delivery Agreement March 2013.  
Legislation, Regulations, Planning Policy Guidance, etc  
One Powys Plan

### **Appendices:**

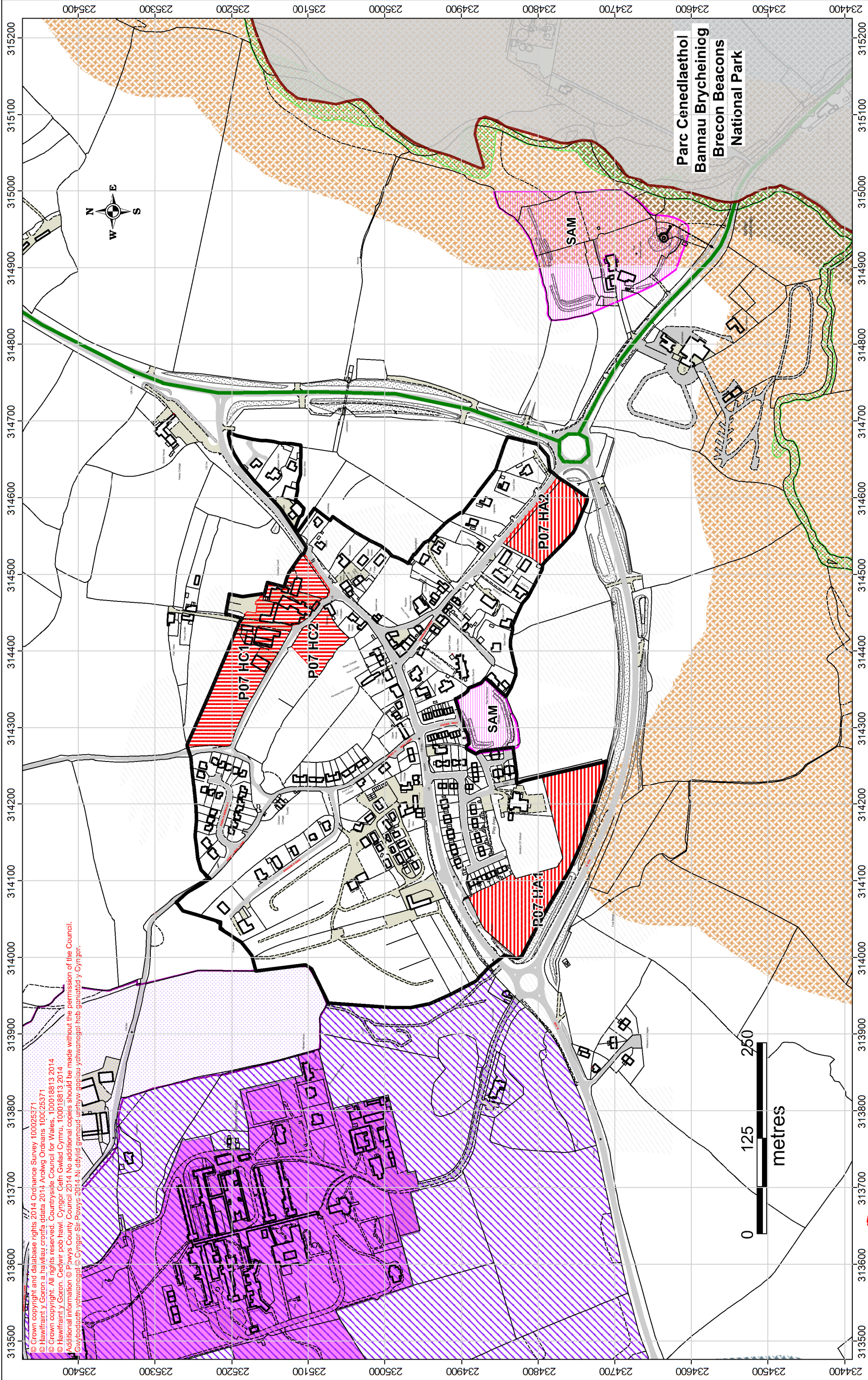
**Appendix 1 Inset Map 6 Boughrood & Llyswen revised**

**Appendix 2 Inset Map 7 Bronllys revised**









MAP MEWNOSOD P7 INSET MAP

Cyngr Sir **Powys** County Council

Drafft Adnau Mehefin 2014  
 Deposit Draft June 2014

Bronllys

Cynllun Datblygu Lleol Powys  
 Powys Local Development Plan