

CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE

11 October 2022

**REPORT AUTHOR: County Councillor Jake Berriman
Portfolio Holder for a Connected Powys**

**REPORT TITLE: Approval of the Powys Local Development Plan Annual
Monitoring Report 2022 for submission to Welsh
Government**

REPORT FOR: Decision

1. Purpose

1.1 To approve the Powys Local Development Plan Annual Monitoring Report (AMR) 1st April 2021 to 31st March 2022 [AMR 2022] in readiness for its publication and submission to the Welsh Government no later than 31st October 2022.

2. Background

2.1 The Powys Local Development Plan (LDP) is a 15-year statutory development plan spanning the period 2011 to 2026. It was adopted by the Council in April 2018. Under current legislation it will cease to be the development plan for the Powys Local Planning Authority (LPA) area after its end date on 31st March 2026. The Powys LPA has therefore embarked on the preparation of a Replacement LDP for the period 2022-2037.

2.2 Legislation requires that an LPA must publish and submit to Welsh Government an Annual Monitoring Report (AMR) setting out how the objectives of the plan are being achieved.

2.3 The AMR assesses the extent to which the plan's strategy and key policies, sites and infrastructure requirements are being delivered. By basing each AMR on the results and commentary of the preceding year, trends can be identified, and it becomes clear how policies and proposals are delivering year on year.

2.4 The Welsh Government's Development Plans Manual: Edition 3 (2020) affirms that AMRs are the key mechanism to assess the delivery and implementation of a plan's strategy. They provide transparency in the planning process by keeping stakeholders and the community informed regarding the performance of the plan against the issues it has identified. AMRs must be approved by the LPA and submitted to Welsh Government by 31st October of the respective year.

2.5 AMR 2022, attached for approval as Appendix 1 to this report and with two supporting annexes (Appendices 1a and 1b), is to be submitted by the end of October this year as the statutory AMR. As monitoring is a continuous cycle, AMR 2022 builds on previous AMRs as submitted in October 2021 which contain the earlier monitoring results of the adopted LDP from its adoption date. Monitoring of the adopted LDP, and the subsequent Replacement LDP will be required to continue in future years.

2.6 The AMR also includes the Strategic Environmental Assessment (SEA) monitoring of the adopted LDP.

2.7 The AMR must be approved by the Cabinet before it is submitted to the Welsh Government. Alongside submission, the AMR must be published on the Council’s website by 31st October each year.

2.8 The Council’s internal LDP Working Group met in September to consider AMR 2022 and have recommended its approval to Cabinet and for its submission to Welsh Government.

3. Advice

AMR 2022 Findings

3.1 The Powys LDP is assessed against the Monitoring Framework set out in Chapter 5 of the adopted LDP. The AMR is based on the adopted Monitoring Framework but has been updated/modified where necessary to take account of new national policy requirements arising since plan adoption in April 2018. Where this has happened, the AMR explains what changes have been made to the original Framework and why. Implementation is shown visually using a colour coded system.

3.2 The AMR 2022 demonstrates that the adopted LDP is largely delivering and meeting the monitoring targets, pointing to successful policy implementation. Of the 62 monitoring indicators, 42 are “Green” where the monitoring is on target or completed and the action required is for monitoring to continue. Six are “Yellow” identifying that further investigation/research is required; four are “Amber” suggesting that a Policy Review is required; and four are “Red” indicating that a Plan Review is required as they relate to the delivery of the strategy. AMR 2022 identifies the remaining indicators as not applicable during this monitoring year.

3.3 The performance of the adopted LDP against each monitoring indicator is fully explained in the AMR (Appendix 1). The eight indicators indicating plan or policy reviews (which are colour coded red or amber) are:

Reference No.	Monitoring Indicator	Relevant LDP Policies
AMR2a	The annual level of housing completions monitored	Strategic Policy

	against the Average Annual Requirement. (AAR)	SP1 – Housing Growth
AMR2b	Total cumulative completions monitored against the anticipated cumulative completion rate.	Strategic Policy SP1 – Housing Growth
AMR4	Total housing units permitted on allocated sites (HA) as a % of overall housing provision.	Strategic Policy SP1 – Housing Growth Topic Based Policy H2 – Housing Sites
AMR5	Total housing units completed on Housing Allocations (HA).	Strategic Policy SP1 – Housing Growth Topic Based Policy H2 – Housing Sites
AMR27	Additional installed capacity (MW) of solar PV developments permitted within LSAs per annum.	Topic Based Policy RE1– Renewable Energy
AMR28	Number of community/district heating schemes permitted under Policy DM13 (criterion 15) per annum.	Development Management Policy DM13 – Design and Resources
AMR36	Number of developments permitted within Town Centres, which would result in less than: 75% of units within a Primary Shopping Frontage; 66% of units within Secondary Shopping Frontage; being for A1 and A3 uses.	Topic Based Policy R3 – Development Within Town Centre Areas
AMR59	Number of developments permitted resulting in the loss of an existing community or indoor recreation facility, or neighbourhood/village shop, public house or service.	Development Management Policy DM11 – Protection of Existing Community Facilities and Services

3.4 The growth strategy of the adopted LDP is primarily led by housing growth and the AMR (as with AMR 2021) identifies under-performance against the anticipated housing completions target rate. The cumulative number of net additional dwellings delivered since 2011 is 2,470 dwellings against the anticipated 3,036 dwellings. With four years left of the Plan period it is unlikely that the adopted LDP's dwelling requirement figure of 4,500 new dwellings will be achieved over the Plan period (2011 – 2026) as the “catch-up” build rate for the period 2022 – 2026 would require 508 new homes to be built each year. (See Table 9 in AMR 2021).

3.5 The under-delivery of allocated housing sites continues to be identified as an area of concern which prompted the Review of the adopted LDP arising from AMR 2021 and confirms the need to proceed with the Replacement LDP. As set

out in AMR 2022, it remains the case that of the 80 Housing Allocation (HA) sites in the LDP, 54 (68%) still do not have any form of planning permission.

3.6 Within the AMR is a detailed assessment of the performance of the LDP against the statutory Strategic Environmental Assessment (SEA) monitoring objectives.

4. Resource Implications

4.1 The publishing and submission of the AMR does not have any additional resource implications.

4.2 The Head of Finance (Section 151 Officer) notes the content of the report.

5. Legal implications

5.1 Legal: It is a requirement of the Planning and Compulsory Purchase Act 2004 (Section 76) and LDP Regulation 37 that the LPA prepares and submits an AMR to Welsh Government and as such the recommendations can be accepted from a legal point of view

5.2 The Head of Legal Services and Monitoring Officer has commented as follows: " I note the legal comment and have nothing to add to the report".

6. Data Protection

6.1 The proposal does not involve the processing of personal data.

7. Comment from local member(s)

7.1 The current adopted LDP and any subsequent replacement apply to all of Powys except those areas within the Brecon Beacons National Park.

7.2 The Council's internal LDP Working Group has been involved in the preparation of AMR 2022, and in considering how the Council should address the results arising from the annual monitoring process.

7.3 The process of preparing an LDP is regulated and opportunities are available to engage with the preparation process through formal consultation stages.

8. Impact Assessment

8.1 An assessment is not required in this instance as the process of preparation and submission of an AMR is a statutory requirement upon the Council.

9. **Recommendation**

9.1 It is recommended that Cabinet approve:

1. AMR 2022 with Annex 1 and Annex 2 in order for the AMR to be submitted to the Welsh Government by 31st October 2022 in accordance with the relevant legislation. It will be published concurrently on the Council's website.

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LIST OF APPENDICES

Appendix 1: Powys Local Development Plan Annual Monitoring Report 2022 (1 April 2021 to 31 March 2022)

Appendix 1a: AMR 2022 Annex 1

Appendix 1b: AMR 2022 Annex 2