

FULL COUNCIL REPORT

Date Written	4 th July 2018
Report Author	Judith Jones / John Raine
Service Area	Planning and Countryside
Non Exempt	
Committee Date	25 th July 2018

To: Mayor, Ladies and Gentlemen

Replacement Merthyr Tydfil Local Development Plan (2016 – 2031) Deposit Plan

1.0 SUMMARY OF THE REPORT

- 1.1 The purpose of this report is to seek Council's approval to commence a 6-week statutory public consultation on the Replacement Deposit Local Development Plan (2016 – 2031) and associated documents comprising:
- The Deposit Plan Written Statement.
 - The Deposit Plan Proposals Map.
 - The Deposit Plan Constraints Map.
 - The Replacement LDP Initial Consultation Report (Preferred Strategy) (June 2018).
 - The Deposit Plan Sustainability Appraisal Report.
 - The Deposit Plan Habitats Regulations Assessment Screening Report.
- 1.2 The Council is required to publish and consult on the full draft Replacement LDP, known as the Deposit Plan, and the associated consultation documents listed above. This report draws Councillors' attention to the key issues raised during the Preferred Strategy public consultation (set out in the Initial Consultation Report), Officer's responses and recommendations to the issues raised, and the content of the Deposit Plan.
- 1.3 Following Council approval, the Deposit Plan and supporting documents will undergo a 6-week public consultation commencing in late July. The Council will consider all duly made representations and consider the need for minor 'focused changes' that are necessary for soundness. The results of the Deposit Plan public consultation will be reported back to full Council (timetabled for November 2018) prior to gaining

authorisation to submit the Plan for Examination in Public by an independent Planning Inspector.

- 1.4 Once adopted, the replacement Local Development Plan (LDP) will supersede the extant Merthyr Tydfil LDP (2006-2021) and will provide the policy framework for the development of the County Borough up to 2031.

2.0 RECOMMENDATIONS that

- 2.1 The issues raised during the pre-deposit Preferred Strategy public consultation in 2017 and recommended responses are noted.
- 2.2 The Replacement Deposit Local Development Plan 2016 - 2031 and associated documents be approved for a statutory six-week period of public consultation commencing in July 2018.

3.0 INTRODUCTION AND BACKGROUND

- 3.1 The Planning and Compulsory Purchase Act 2004 (Section 62) requires all local planning authorities to prepare a Local Development Plan (LDP) for their area. Local authorities are also required to monitor and review their Development Plans. In 2016 the Council prepared a Review Report on the existing Adopted LDP (2006-2021) which concluded a full review of the Plan was necessary and this was accepted by Council on 20th April 2016.
- 3.2 The Council consulted on the Replacement LDP Preferred Strategy between the 14th July 2017 and 6th October 2017. This document considered the vision, objectives and strategic options for the level and distribution of growth in the County Borough to 2031. The Council has considered the responses received on the Preferred Strategy and officer responses to these are included in the Initial Consultation Report attached at Appendix 2. These have informed the production of the Deposit Plan.
- 3.3 The Replacement Deposit Plan, attached at Appendix 1, includes local planning policies and land use allocations for a range of land uses that make provision for future growth needs to 2031. In particular, provision is made to meet a residential requirement of 2250 dwellings over the 2016-2031 Plan period with allocations made across 34 residential site allocations. An affordable housing contribution target of 261 affordable dwellings is also included.
- 3.4 The Plan also includes a range of other planning and environmental designations and updated local policies as required by national policy set by Welsh Government. Key elements of the Plan are highlighted in this report. Once adopted, the Replacement LDP will guide future planning and development decisions and will be used for the consideration of planning applications and appeals.
- 3.5 The Deposit Plan Strategy is for a realistic and sustainable level of population growth (approximately 8% to 2031), predominantly directed to the main town of Merthyr Tydfil, and in particular to the 'Hoover Strategic Regeneration Area' which would contain residential allocations for 440 dwellings with a range and choice of sites

located elsewhere. Some 70% of the residential allocations would be located in the Primary Growth Area of Merthyr Tydfil and 30% in the Other Growth Area within the south of the County Borough.

- 3.6 This report sets out the issues raised as a result of the Preferred Strategy public consultation, the recommended responses and provides detail on the content of the Deposit Plan and how this seeks to deliver the Strategy.

4.0 PRE-DEPOSIT (PREFERRED STRATEGY) CONSULTATION

- 4.1 A total of 41 individuals and organisations made representations during the LDP Preferred Strategy consultation, making a total of 232 representations relating to the Preferred Strategy and background papers. Of these 84 (36%) provided support, 29 (13%) objected and 119 (51%) provided general comment.
- 4.2 General support for the Council's Preferred Strategy was received from statutory consultees and other respondents with 15 (60%) of the 25 representations supporting the proposed 'mid growth' and spatial distribution option, with 9 respondents providing objection or comment. Some respondents raised questions as to how the Plan would ensure the level of growth identified could be delivered and sought clarifications. In particular, some questioned the reliance on a significant allocation at the Hoover Strategic Regeneration Area (for up to 800 dwellings).
- 4.3 Further evidence has been prepared to inform the Deposit Plan in order to respond to these issues. This has included the preparation of a Strategic Flood Consequence Assessment (SFCA) to consider the impact of flood risks and consequences, in particular at the Hoover Strategic Regeneration Area. The Council has worked with Welsh Government and Transport for Wales who have land interests at the strategic site, in order to prepare a framework master plan for the Strategic Regeneration Area. This illustrates what the future redevelopment of the area might look like and provides a 'proving layout' for the Hoover Factory site. Flood modelling work has found that land at Dragon Parc and at the Gethin Tip area is currently unsuitable as a residential allocation in the Plan. Prior physical mitigation works would be required and these are being investigated by the land owners of the Dragon Parc site. It is hoped that these areas west of the river Taff will provide future regeneration opportunity sites. Further details can be found in the Hoover Strategic Regeneration Area - Framework Masterplan (June 2018) referenced as a background paper.
- 4.4 The Hoover Strategic Regeneration Area is allocated to provide 440 dwellings. Whilst this is a reduction on the levels envisioned, it is by far the largest residential site allocation in the Plan. It will also be a focus for future regeneration including new employment and local retail provision and will maximise the benefits and opportunities provided by the planned Cardiff Capital Metro improvements. The Council has also undertaken site assessments of the submitted candidate sites and is confident that the LDP can deliver the Preferred Strategy with the allocation of a range and choice of sites whilst maintaining 70% of residential allocations in the Primary Growth Area and 30% in the Other Growth Area.
- 4.5 With regards to the alternative "urban extension" spatial distribution option, a number of objections were received. In particular, Natural Resources Wales have advised

that in principle they do not support the option due to the potential impact on the nationally protected Cwm Glo and Glyndyrys SSSI.

- 4.6 With regards to the LDP Objectives, 35 individual comments were received. Whilst specific representations were not received on all 17 objectives, general support was provided with 14 comments (40%) supporting the LDP Objectives, 5 objecting and 16 providing additional comment.
- 4.7 A number of the representations suggested minor wording changes or clarifications to the Objectives which where agreed have been incorporated.
- 4.8 With regards to the draft planning policies included in the Preferred Strategy 88 individual representations were received, of which 19 supported the policies, 12 objected and 57 provided additional comment.
- 4.9 The Initial Consultation Report attached as Appendix 2 to this report contains further details of the issues raised and the Council's response to individual matters illustrating how these have been considered and incorporated into the Deposit Plan.

5.0 MERTHYR TYDFIL REPLACEMENT LOCAL DEVELOPMENT PLAN 2016 – 2031 DEPOSIT PLAN

- 5.1 The Replacement Deposit Plan, attached at Appendix 1, makes provision for sufficient land use allocations and local planning policies to deliver the LDP Strategy and Objectives. The Plan's Strategy seeks to address a projected population decline in the County Borough by encouraging a sustainable level of population growth (approximately 8%). To facilitate this sustainable level of growth 2,250 new homes need to be built between 2016 and 2031. Such a level of growth is considered to show ambition as it addresses the long-term issue of population decline and would see more working aged people retained in the County Borough. It is also considered to be realistic and deliverable because the level of house building is in line with historic build rates. Consequently, provision for 2,825 dwellings across the Plan period has been made, comprising of 2,200 dwellings from 34 site allocations and committed sites with extant planning consent, with the remainder arising from anticipated 'windfall' or unallocated developments within the County Borough.
- 5.2 The Deposit Plan also makes provision for other land uses such as employment, retail, minerals and waste, renewable energy search areas, transportation schemes and gypsy and traveller pitch provision. Employment allocations total 35.65 hectares of developable land across five sites located at the Hoover Strategic Regeneration Area, the Hoover Factory car park, Goat Mill Road, Ffos-y-fran, and land south of Merthyr Tydfil Industrial Estate. There is no requirement for significant new convenience retail provision however local retail provision is allocated at the Hoover Strategic Regeneration Area. Transport improvements are also identified, including the new Merthyr Tydfil Central Bus Station, South East Wales Metro (Merthyr Tydfil Valley line) improvements, and Pentrebach Rail Station improvements and Park and Ride.
- 5.3 The Deposit Plan also includes other planning and environmental designations such as Special Landscape Areas, Urban Character Areas, Archaeologically Sensitive Areas, Local Nature Reserves and Sites of Importance for Nature Conservation. The

Cyfarthfa Heritage Area is also recognised. In particular, new designations include 5 Special Landscape Areas (Winchfawr, Nant Morlais and Cwm Taf Fechan, Merthyr West Flank, Pontygwaith, and Gelligaer and Taf Bargoed) and 12 Local Nature Reserves to improve local access to nature. Following a Renewable Energy Assessment, 4 Local Search Areas for solar energy and Heat Priority Areas are identified as required by national planning policy.

- 5.4 Councillors' attention is also drawn to the findings of the Sustainability Appraisal (incorporating the requirements of Strategic Environmental Assessment) and the Habitats Regulations Assessment Screening Report which have informed, and should be considered simultaneously with the Deposit Plan. Both documents are available to view as background papers to this report.

6.0 NEXT STAGES – DEPOSIT CONSULTATION, FOCUSED CHANGES, SUBMISSION AND EXAMINATION

- 6.1 Following Council approval, officers will arrange a six-week statutory public consultation period commencing in late July on the Replacement Deposit LDP and associated documents listed in paragraph 1.1 of this report. The consultation methods will be in accordance with the LDP Delivery Agreement.

- 6.2 All duly made representations received will be recorded and considered. Officers will prepare responses to the representations received and will consider the need for any minor Focused Changes to the plan that are necessary for "soundness". The results of the Deposit Plan public consultation, including the Council's response to representations, and any proposed Focused Changes will be reported back to full Council for approval. This is timetabled to take place in November 2018. If Focused Changes are necessary, the proposed changes will undergo a statutory six-week public consultation period.

- 6.3 The LDP Delivery Agreement indicates the submission of the Plan to Welsh Government for Examination in Public in January 2019. Following this an independent Planning Inspector will be appointed to conduct an "Examination in Public" and will involve public hearing sessions on various topics. It is anticipated that the examination will be completed by December 2019, although much will depend on the matters raised by the Inspector as part of the Examination process.

- 6.4 Ultimately, approval of the Plan rests with the Planning Inspector who will consider whether the Plan is fit for purpose by assessing it against the three "tests of soundness" set by Welsh Government. These are: Does the Plan fit? (with other plans, policies and programmes) Is the Plan appropriate? And will the Plan deliver?

7.0 FINANCIAL IMPLICATION(S)

- 7.1 The LDP will be prepared within existing departmental budgets previously agreed by Council.

8.0 EQUALITY IMPACT ASSESSMENT

8.1 An Equality Impact Assessment (EqIA) form has been prepared for the purpose of this report. It has been found that a full assessment is not required at this time. The form can be accessed on the Council's website/intranet via the 'Equality Impact Assessment' link.

CHERYLLEE EVANS
CHIEF OFFICER NEIGHBOURHOOD
SERVICES

COUNCILLOR KEVIN GIBBS
CABINET MEMBER FOR
NEIGHBOURHOOD SERVICES

Appendix 1:

The Replacement Merthyr Tydfil Local Development Plan (2016 – 2031) Deposit Plan (June 2018).

Appendix 2:

Replacement LDP Initial Consultation Report (Preferred Strategy) (June 2018)

BACKGROUND PAPERS		
Title of Document(s)	Document(s) Date	Document Location
1. The Replacement Merthyr Tydfil Local Development Plan (2016 – 2031) Proposals Map	June 2018	Background papers link / Members Room
2. The Replacement Merthyr Tydfil Local Development Plan (2016 – 2031) Constraints Map	June 2018	
3. Merthyr Tydfil Replacement Deposit Plan Sustainability Appraisal Report	June 2018	
4. Deposit Plan Habitats Regulations Assessment Screening Report	June 2018	
5. Merthyr Tydfil Replacement LDP (2016-2031) Preferred Strategy	June 2017	

6. Replacement Merthyr Tydfil Local Development Plan Delivery Agreement	August 2016	
7. Merthyr Tydfil Local Development Plan (2006 – 2021) Review Report	April 2016	
8. Merthyr Tydfil Local Development Plan (2006 – 2021), adopted 2011	May 2011	
9. Merthyr Tydfil Renewable Energy Assessment Report and June 2018 Addendum	June 2017	
10. Heads of the Valley Smaller Scale Wind Turbine Development Landscape Sensitivity and Capacity Study	April 2015	
11. Gypsy and Traveller Accommodation Assessment Update	June 2018	
12. Special Landscape Areas background paper	June 2018	
13. Sites of Importance For Nature Conservation background paper	June 2018	
14. Merthyr Tydfil Local Housing Market Assessment	2014	
15. Housing Land Supply and Trajectory background paper	June 2018	
16. Merthyr Tydfil Retail Study and Commercial Leisure Study	June 2017	

17. South Wales Regionally Important Geological Sites (RIGS) Audit	March 2012	
18. Population and Housing Requirements background paper	June 2017	
19. Merthyr Tydfil Review of Green Wedges background paper	June 2017	
20. Merthyr Tydfil Open Space Strategy	June 2016	
21. Hoover Strategic Regeneration Area - Framework Masterplan	June 2018	
22. Viability Assessment: Local Development Plan / Community Infrastructure Levy	June 2018	
23. Merthyr Tydfil Employment Land Review	June 2018	
24. Merthyr Tydfil Archaeology and Archaeologically Sensitive Areas background paper	July 2017	
25. Merthyr Tydfil Strategic Flood Consequence Assessment (SFCA)	June 2018	
26. Merthyr Tydfil Proposed New Bus Station Flood Consequence Assessment	May 2016	
27. Merthyr Tydfil: Understanding Urban Character (2015)	2015	
28. South East Wales Valleys Local Transport Plan	January 2015	

29. Minerals Planning background paper	June 2018	
30. Waste Planning background paper	June 2018	
31. Affordable Housing background paper	June 2018	
32. Replacement LDP (Pre Deposit) Initial Sustainability Appraisal Report	June 2017	
33. South Wales Regional Aggregates Working Party - Regional Technical Statement 1 st Review	August 2014	
34. South Wales Regional Aggregates Working Party – Annual Report 2016	March 2018	
35. Site Assessment Background Paper	June 2018	
Does the report contain any issue that may impact the Council's Constitution?		No

Consultation has been undertaken with the Corporate Management Team in respect of each proposal(s) and recommendation(s) set out in this report.