

**Powys  
Local Development Plan**

**2011 - 2026**

**Initial  
Consultation Report  
June 2015**



## Contents

	Page
1. Introduction	2
2. Stage 1 – Delivery Agreement	3
3. Stage 2 - Evidence Gathering	5
3.2 Topic Papers	5
3.3 Research	5
3.4 Candidate Sites	5
4. Stage 3 - Pre-Deposit Participation (LDP Regulation 14)	7
4.2 LDP Assessment Processes	7
4.3 LDP Vision, Objectives and Strategy Options and Preferred Strategy	7
5. Stage 4 - Pre-Deposit Public Consultation on the LDP Preferred Strategy, March 2012 (LDP Regulations 15 and 16)	9
6. Stage 5a – Initial Deposit Public Consultation on the LDP, July – September 2014 (LDP Regulations 17)	14
7. Stage 5b – Revised Deposit Public Consultation on the LDP, June – July 2015 (LDP Regulations 17)	22

## Appendices (published separately)

- 1 Representations and Council Responses on the LDP Preferred Strategy, March 2012 (Regulation 16)

**Note Erratum to Appendix 1, March 2013**

## **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 and February 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 6 – Alternative Sites Consultation (tbc)

Stage 7 – (tbc)

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<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 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>

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

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<sup>4</sup>LDP Working Group meetings can be viewed here:  
<http://www.powys.gov.uk/en/democracy/council-committees-and-meetings/>

various stakeholders – general, specific and others - in a number of ways as 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 <sup>1</sup>
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.

<b>Consultation document</b>	<b>No. of Representations / opinions / comments</b>
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</li> <li>• 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, Oriol Gallery (20)
Mon 4/8/14 –	Machynlleth, Y Plas (25)
Tue 5/8/14 –	Newtown, Oriol 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 is 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. 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 statutory notice for the consultation is shown below:

“Planning and Compulsory Purchase Act 2004  
The Town and Country Planning (Local Development Plan) (Wales)  
Regulations 2005 (Regulation 17)  
The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004  
The Conservation (Natural Habitats, &c.) (Amendment) (England and Wales)  
Regulations 2007

### Notice of Deposit of Proposals for a Local Development Plan

#### Powys Local Development Plan 2011-2026

Powys County Council has prepared Local Development Plan (LDP) documents for the above plan. The LDP will, upon adoption, replace the current development plan and form the basis for decisions on land use planning for Powys (excluding areas within either the Brecon Beacons or Snowdonia National Parks).

The LDP documents include the “deposit LDP”, the Sustainability Appraisal Report, the Environmental Report, the Habitats Regulations Assessment, an initial Consultation Report together with other supporting documents.

Copies of the documents will be available for public inspection free of charge from Monday 8<sup>th</sup> June 2015 at the following Powys County Council offices:

County Hall, Llandrindod Wells	Mon to Thurs 8.30am - 5pm	Fri 8.30am – 4.30pm
The Gwalia, Llandrindod Wells	Mon to Thurs 9am – 5pm	Fri 9am – 4.30pm
Neuadd Brycheiniog, Brecon	Mon to Thurs 8.30am – 5pm	Fri 8.30am – 4.30pm
Neuadd Maldwyn, Welshpool	Mon to Thurs 9am - 5pm	Fri 9am – 4.30pm

They are also available on the Council’s website at [www.powys.gov.uk](http://www.powys.gov.uk) (click on Consultations). Additionally, the documents will be circulated to all Library + sites and Customer Service Points in Powys.

Representations (including objections) in respect of the deposit LDP, should be sent in writing to The Powys Local Development Plan team, Powys County Council, The Gwalia, Ithon Road, Llandrindod Wells, Powys. LD1 6AA, via email to [ldp@powys.gov.uk](mailto:ldp@powys.gov.uk) or on-line via [www.powys.gov.uk/ldp](http://www.powys.gov.uk/ldp) before 4.30pm on Monday 20<sup>th</sup> July 2015. Representations (including those taking the form of objections) should specify the matters to which they relate. Objections should also specify the

change sought, the grounds on which they are made and the test(s) of soundness to which they relate.

Any representation proposing a new or extended site for development or one that proposes to incorporate a site rejected by the Authority should include information on the site's compatibility with the plan's sustainability appraisal, environmental report and community involvement.

Representations may also be accompanied by a request to be notified at a specified address that the LDP has been submitted to the Welsh Government for independent examination and/or the adoption of the plan.

Representations made in accordance with this notice (i.e. 'duly made') will be considered by an independent Inspector appointed to examine the soundness of the plan. (Please note, only representations submitted during this consultation period (8th June 2015 - 20th July 2015) will be carried forward through the Local Development Plan process. Any representations that were made in the previous consultation (on the Powys LDP Deposit Draft, July 2014) will not be carried forward). If you consider that any representations you made last time are still relevant, you must submit these again using the latest Deposit Stage Representation Form and guidance note.

Only those making representations seeking to change the deposit LDP (i.e. objectors) whose representations were 'duly made' have the right to appear before and be heard by the Inspector at the Examination. (Section 64 (6) of the 2004 Act)"

7.8 All the documents were made available for public inspection purposes over the consultation period on the Powys County Council website<sup>7</sup> and in accordance with the LDP Delivery Agreement 2015 (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.

7.9 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 'consultations in Powys' link on the homepage of the Council's website.
- by **letter /email** using a standard representation form.

7.10 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 considered appropriate (e.g. Town and Community Councils, Environmental Consultation bodies) as well as posters for the public exhibitions.

7.11 Notice of the consultation period was given by the above local advertisement in the Brecon & Radnor Express on the 28th May 2015 and in the County Times on the 29th May 2015. Press releases were also submitted to local newspapers and published on the following dates: tbc

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<sup>7</sup> <http://www.powys.gov.uk/ldp>