

Newport City Council
Local Development Plan

Hearing Session 1: Preparation Process and Plan Strategy

10am – Tuesday 1st April 2014



1. Plan preparation process and consultation

(i) Has the Plan preparation process met the requirements of the Delivery Agreement (DA) and associated Community Involvement Scheme (CIS)? What adjustments (if any) to the DA have been necessary along the way? Where there have been departures from the DA and CIS, what steps have been taken to ensure that the required level of community engagement has nonetheless taken place

1.1 The LDP process undertaken is in accordance with the Delivery Agreement (DA) and Community Involvement Scheme (CIS) agreed between Newport City Council and the Welsh Government. Full details of the stages undertaken and the consultation methods adopted are set out in the Consultation Report (December 2013) (SD12) – Chapters 3 and 11, plus the Community Involvement Scheme Task List (SD15).

1.2 The first version of the DA was agreed in April 2008. Since that date two amendments to the DA have been consulted upon and agreed with the Welsh Government in March 2011 and April 2013. The LDP preparation process agreed in 2008 remained on target until the Preferred Strategy Stage. Following this, the Plan timetable slipped due to the level of evidence gathering and plan policy writing required, by what was at the time a much smaller LDP team. An amended Delivery Agreement was subsequently prepared, consulted upon and agreed by Welsh Government in 2011.

1.3 Following the consultation on the Deposit LDP (April 2012), a significant number of representations were received and issues raised that required further evidence gathering. A change to the Council's political administration resulted in a request to review the Gypsy and Traveller Site Allocations due to concerns regarding the way in which the sites were selected. Given the scale of the changes proposed the decision was taken by the Council to publish a Revised Deposit Plan rather than Focussed Changes and therefore another round of consultation on the Revised Deposit and Site Allocation Representations was carried out. All consultations undertaken received significant numbers of representations (see SD12 for full details). An Amended Delivery Agreement incorporating the Revised Deposit Stages was agreed by the Welsh Government in March 2013 (SD10).

1.4 The Council does not consider there to have been any departures to the Delivery Agreement. A Gypsy and Travellers Scrutiny process ran alongside the LDP process, but did not form part of the LDP and therefore is not reflected in the Delivery Agreement. However, everyone who had expressed an interest in the LDP process was consulted on the Gypsy and Travellers Scrutiny Process consultation exercise. Likewise, interested parties who had commented on the Gypsy and Travellers Scrutiny Process were made aware via email and letter of the Revised Deposit LDP Stage.

(ii) Was the decision to produce a revised deposit plan rather than focussed changes to the first deposit plan based on appropriate authoritative advice? Was the subsequent revised deposit and revised alternative sites consultation process made sufficiently clear to all relevant parties?

- 1.5 The background to the decision to progress the LDP as a Revised Deposit Plan rather than Focussed Changes is set out in Chapter 8 of the Consultation Report (page 31, SD12).
 - 1.6 The Revised Deposit Local Development Plan is a revised version of the Deposit Plan, made under Regulation 17 of the 2005 LDP Regulations. The term 'Revised' is used to make it clear to interested parties that it is different to the April 2012 Deposit Plan that they may have already commented on, and to make it clear that the original Deposit Plan had been changed. There is no limit on the number of times that a Council can issue a Deposit Plan under Regulation 17.
 - 1.7 Following the original LDP being placed on deposit in 2012, the Council received numerous representations which required changes to be made to the Plan. The circular letter to all Local Planning Authorities in Wales dated 10 June 2009 (Welsh Government Circular Letter -CL-01-2009), entitled 'Important Guidance on Procedures for Advertising Focussed Changes to the Deposit LDP', defines focussed changes as 'changes that reflect key pieces of evidence but do not go to the heart of the plan, affecting only limited parts of it'.
 - 1.8 The letter continues by noting that 'if the local planning authority is considering making fundamental changes that affect the strategy and are of such a significant nature and scale as to go to the heart of the plan, it will need to give considerable thought as to how the plan can be taken forward'.
 - 1.9 In consultation with Welsh Government, the Council considered that the changes it wanted to make to the Plan were too significant; therefore 'focussed changes' were not considered appropriate. The Council decided to amend the Plan and return to the 'deposit stage'. The term 'Revised Deposit' simply attempts to distinguish it from the original 2012 Plan. Other Local Authorities have used the term 2nd Deposit. This course of action was agreed by the Welsh Government and is clearly set out in the Delivery Agreement (SD10) approved by the Minister.
 - 1.10 Chapter 9 of the Consultation Report (SD12) sets out the level and methods of consultation undertaken on the Revised Deposit Plan. All letters, emails and press notices made it explicitly clear that comments submitted on the previous Deposit Plan (April 2012) would not automatically be considered at Examination and therefore recipients would need to ensure they respond to the Revised Deposit Consultation if they wanted their views to be considered at Examination (see SD24 for a copy of the consultation letter). This message was also put across at the numerous public meetings held throughout the borough.
- 2. Has the Plan and its policies as now submitted for examination been subjected to sustainability appraisal (SA) including Strategic Environmental Assessment (SEA)? Are the results of the SA/SEA process properly reflected in the completed SA/SEA of the Plan? Have the recommendations of the SA/SEA regarding allocations and proposals on sites within or partly within SSSIs and/or flooding constraints been carried forward into the Plan? If not,**

which allocations/proposals remain contentious in this respect, and on what basis are these allocations/proposals maintained?

- 2.1 In accordance with the requirements of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005, the LDP has been subject to a Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA).
- 2.2 The Sustainability Appraisal Report and Appendices provide an assessment and sets out the results and conclusions of the assessment of the Revised Deposit LDP (December 2013) (SD34 – 36). The results of the assessment are generally considered to be positive in terms of environmental, social and economic objectives. Where negative implications have been identified, e.g. from flood risk, water quality and biodiversity, the assessment generally notes these can be overcome through the effective implementation of measures included within the policies of the Plan and supporting documents e.g. Supplementary Planning Guidance. These issues would be further safeguarded via planning conditions on future planning permissions for the development of the sites.
- 2.3 However, the SA/SEA recommends at paragraph 14.12 (SD34) that 4 sites allocated in the Revised Deposit Plan (SD3) should be revised to exclude allocations within SSSIs.
- SP16(iii) - Duffryn Link Road: The Council's consideration of this proposal is set out in The Alternative Sites Assessment Report (SD31) site reference - RAS(D)001 and the Report of Representations on the Revised Deposit Plan (SD27: pages 327 – 339). The road is considered to be an essential infrastructure improvement to help address congestion at Junction 28 and to assist with delivery of the Duffryn EM1(i) employment allocation and to serve the proposed Coedkernew railway station. Mitigation and where necessary, compensatory environmental measures can be secured via the planning process.
 - T1(c) - Coedkernew railway station: The Council's consideration of the station's deletion is set out in the Alternative Sites Assessment at Revised Deposit Stage (SD31: site reference RAS(D)002) and the Report of Representations on the Revised Deposit Plan (SD27: pages 673 – 687). The station is proposed as part of the Regional Transport Plan and is considered to be an essential infrastructure improvement for the western area of Newport and would promote sustainable travel patterns and ease traffic congestion. Although the station would be located within the SSSI, its footprint would be relatively small and, by definition, it cannot be located away from the railway line. Mitigation and where necessary, compensatory environmental measures can be secured via the planning process. A set of Focussed Changes have been published during February 2014. As part of this, the location of the proposed station at Coedkernew has moved southwards, but the site remains in the SSSI. An update of the SA/SEA to reflect this Focussed Change is currently being prepared.
 - EM1(i)- Duffryn – The Focussed Changes (February 2014) propose a reduction in size of the employment allocation, removing the majority of the site from the SSSI area. The SA/SEA is currently being reassessed on this basis.
 - CF13(vii)-The school site at South of Percoed Lane, Duffryn: The Council has changed its view on this allocation. Confirmation has been received from the Council's Education Service that the school site is no longer required – Please see Appendix 1. Considering the environmental constraints associated with the site, it is proposed that this allocation is removed from the Plan.

3. Has a Habitats Regulations Assessment (HRA) of the Plan been undertaken in accordance with the Habitats Directive, including consideration of any requirement for Appropriate Assessment in relation to any relevant sites?

- 3.1 A Habitats Regulations Assessment in line with the requirements set out by the Conservation of Habitats and Species Regulations 2010 has been undertaken on the LDP. The results can be found in the Habitats Regulations Assessment Screening Report – Revised Deposit Plan June 2013 – November 2013 (SD37). The Plan’s policies and proposals have been screened at both Deposit Stages to assess the likely significant effects on European Protected Sites. To address any issues raised during the screening process, a number of recommendations including additional text into the Plan were made to ensure that the policies would not cause likely significant effects on the designated sites. In accordance with the Habitats Regulations, the potential for likely significant effects on the Plan ‘in combination’ with other projects and plans has also been considered. The Revised Deposit LDP was re-assessed to determine whether any of the changes within the LDP are likely to result in significant effects on the internationally designated sites identified during the screening process. Where there have been no changes, or minimal changes, the original assessment remains.
- 3.2 Following this assessment the HRA concluded that with mitigation there would be no likely effects of the Revised Deposit LDP on any of the internationally designated sites within Newport or within a 15km radius. This conclusion has been reached following consultation with Natural Resources Wales.

4. Development of Plan Strategy

(i) Do the Plan Vision and Objectives articulate a clear, distinctive and coherent direction for the Plan? Does the Plan Strategy align clearly with the key objectives of the Plan?

- 4.1 Chapter 1 of the Revised Deposit LDP (SD3) sets out the Plan’s vision and objectives for the plan period (pages 6-12). The Council considers the overall Vision establishes a clear way forward for Newport as a City that wishes to grow economically, primarily through regeneration and the use of brownfield sites, while protecting the natural and historic environment that makes up a large proportion of Newport. The overall vision of the LDP is to be achieved through a set of 10 objectives, including Sustainable Use of Land, Economic Growth, Housing Provision and Conservation of the Natural Environment.
- 4.2 The Spatial Strategy for delivering the Vision and Objectives, including major proposals that provide the overall direction for the Plan, and broad locations for development, is outlined in Chapter 2 of the LDP (SD3). Central to the Plan’s growth strategy is the Eastern Expansion Area of the City, focusing on the former Llanwern Steelworks; regenerate the retail core of the City Centre; promote growth and protect the landscape and Green Wedge and Green Belt. A set of Strategic Policies offer firmer guidance on the level of

growth defined for the plan period and areas for protection. Each Strategic Policy is cross referenced to the relevant objective(s), illustrating how the Plan will deliver the Vision through land use planning policies, such as allocating a sufficient amount of employment land to facilitate economic growth and identifying Green Wedges to protect Newport's important countryside that keeps it distinctive from adjoining authorities.

- 4.3 The Plan's Vision was developed in consultation with key stakeholders through a number of targeted consultation events. With the help of the stakeholders, the Council was able to develop a draft Vision and set of Objectives that reflect the issues and priorities identified at the consultation events. Following consultation during November and December 2008 an Adopted Visions and Objectives Report (SD38) was approved in February 2009. This process was essential in developing a Vision and set of Objectives that are distinctive to Newport and its community and stakeholders and formed the basis for the Strategic Options Report (SD39) and subsequent Preferred Strategy (SD40).
- 4.4 As a result of the work on the Visions and Objectives, Strategic Options and Preferred Strategy a clear Strategy for the Plan emerged:
"A sustainable development strategy is proposed, with a focus on regeneration, building on the culture and heritage of the City, seeking to maximise the use of previously developed, brownfield land" (para 1.12 of SD3).
- 4.5 The overall vision for growth that respects Newport's natural environment and the strategy for sustainable land use allocations on brownfield land are considered to be wholly compatible and provide clear direction for the plan period.
- 5. What evidence demonstrates that the Plan strategy is based upon a comprehensive and robust consideration of an available range of meaningful options?**

- 5.1 As part of the earlier evidence gathering stages the Council invited interested parties to submit Major Candidate Sites to provide an indication of sites available for development. The results of this exercise and the preparation of the Vision and Objectives (SD38), the Council prepared a Strategic Options Report – March 2009 (SD39) which sought to engage with all interested parties in considering the main options for the Plan. The options included:
- Housing Numbers – SEWSPG Apportionment; Population Trend Growth; House Building Trend Growth.
 - Housing Delivery – Do nothing (rely on commitments); Market-led e.g. peripheral extensions to the City; New Market – need to consider new housing markets for Newport, such as apartments and live-work units.
 - Village Development – Do nothing; Sustainable Village Development; Village Expansion – allowing more development in villages than has recently been the case.
 - Celtic Manor – Do nothing – continue to consider development proposals on a case by case basis; Masterplan Approach – Celtic Manor Site be allocated for leisure use with a Masterplan to be prepared as SPG.

- Employment – Do nothing – carry forward employment land without significant alteration; Market-led reappraisal of supply – this would allow for additions or deletions; Sustainable and Regeneration Based Employment – maximise employment in sustainable locations; Employment promotion on Non-Employment sites, e.g. renew regional hospital facilities.

5.2 These Strategic Options were consulted on to gauge the preferences of the local community, businesses and interested parties had on the direction Newport should go. A call for Candidate Sites was also made at the same time in order to provide the Council with a comprehensive list of sites available for development. The Candidate Sites (SD42) put forward were made available for public comment during August 2009. Details of the consultation are outlined in the Consultation Report – Chapter 4 (SD12). The results of the Strategic Options and Candidate Sites consultation exercises allowed the Council to give consideration to a number of options available and with the results feeding directly into the preparation of the Preferred Strategy for Newport (SD40) and subsequently the Deposit LDP.

5.3 Throughout the preparation of the LDP the evidence base and options available continued to be reviewed and updated where considered necessary. In particular the Inspector's attention is directed to the following evidence base:

- SD51 – Local Development Plan Spatial Strategy Formation Background Paper 2013
- SD63 – Settlement Boundaries Background Paper 2013
- SD55 – Assessment of Housing Requirements, Nathaniel Litchfield and Partners 2013
- SD65 – Employment Land Review, Roger Tym and Partners 2013

6. Do the Plan Vision, Objectives and broad strategy align with (a) national planning policy guidance, including the Wales Spatial Plan; (b) the corporate objectives and plans of the local authority, including the Single Integrated Plan?

6.1 Chapter 1 of the Revised Deposit LDP (SD3) provides details of the Plan's relationship to national planning policy guidance and the Wales Spatial Plan (para 1.38). The Wales Spatial Plan (2008) recognises Newport's role as the economic gateway to Wales and the role regeneration plays in strengthening its strategic role (Chapter 19, WSP, 2008). The LDP's Strategy facilitates the national aspirations for Newport and provides a policy framework to implement the aspirations on the ground. The Plan's economic growth strategy, focussed on brownfield regeneration sites, strengthens and complements Newport's role as the economic gateway to Wales.

6.2 The Council's corporate objectives are set out in 'Standing up for Newport 2012 – 2017', which identifies five improvement objectives which focus on creating a:

- Caring City
- Fairer City
- Learning and Working City
- Greener and Healthier City

- Safer City
- 6.3 Pages 8-9 of the LDP (SD3) specify how the Plan itself will help to achieve these objectives.
- 6.4 Sitting alongside the Corporate Plan is the Single Integrated Plan (SIP) (SD52) for Newport, which has been prepared by the One Newport Local Service Board, where leaders of local public, private and third sector organisations work together to ensure effective services for Newport. The SIP provides a defining statement of strategic planning intent for Newport for the next 3 years and has 6 priority themes:
- Skills and Work
 - Economic Opportunity
 - Health and Wellbeing
 - Safe and Cohesive Communities
 - City Centre
 - Alcohol and Substance Misuse
- 6.5 The LDP Strategy and policy structure are consistent with these aspirations and a key mechanism for facilitating the delivery of the corporate aims and priority themes on the ground in a land use form.
- 6.6 The City's regeneration objectives are outlined in the Newport 2020 Masterplan Review and Refresh (SD53), which was jointly commissioned by Newport Unlimited and Newport City Council. The document identifies regeneration priorities for the City including City Centre redevelopment and six City Centre Districts (SD53 page 27) as well as other regeneration priorities such as Old Town Dock and Newport West Central Area sites such as Monmouthshire Bank Sidings and Whitehead Works.
- 6.7 The allocations in the LDP have been prepared alongside the Masterplan's aims and objectives and provide a consistent policy framework for the consideration and delivery of the regeneration aspirations.
- 6.8 It is clear from the strategy documents noted, both at a national and local level, that there are common themes and aspirations which demonstrate a strong synergy with the LDP.
- 7. Does the Plan strategy fit with Newport's sub-regional and regional context, including the strategies of neighbouring local planning authorities? Has there been meaningful dialogue with these neighbours concerning possible need for co-operation or a collaborative approach in relation to significant issues or policy areas covered by the Plan?**
- 7.1 Newport's LDP growth and regeneration strategy reflects its position as the second largest settlement in the South East Wales and the Wales Spatial Plan's acknowledgement of its key role alongside Cardiff as being a sustainable community spreading prosperity to the

valley areas inland. Consultation has been on-going with the neighbouring authorities throughout the plan process to ensure consistency between the LDP strategies.

- 7.2 In order to ensure cross-boundary consistency the Council has been an active member of regional groups such as South East Wales Spatial Planning Group (SEWSPG), South East Wales Transport Alliance (SEWTA), South East Wales Regional Waste Group (SEWRWG), South Wales Regional Aggregates Working Party (SWRAWP) and the LDP Pathfinder Group. Through these groups the Council has been involved in a number of areas of collaborative working, for example the identification of a regional waste facility, mineral apportionment and the Regional Transport Plan and identification of cross-boundary transport networks. The Council has also worked closely with neighbouring authorities on issues such as Special Landscape Areas, Green Wedges and Habitat Regulations Assessment. The Assessment of Housing Requirements Paper (SD55) details how housing figures have been considered in Cardiff, Caerphilly, Torfaen and Monmouthshire and how these have been considered to help inform Newport's housing requirements. In addition to the regional working groups, all authorities in the South East Region have been consulted on all stages of the Plan and provided with an opportunity to comment. These comments have helped to shape the Plan and in general terms been supportive of its content. There are no outstanding issues that have been raised by neighbouring authorities.

APPENDIX 1

<p>Ask Ie/Gofynnwch Our Ref/De Cyf Your Ref/Ddi Cyf Tel/Ffôn Direct Dial/AMF LX E-Mail/E-Bost</p>	<p>Amanda B Davies ABD 01633 210630 01633 210630 amandab.davies@newport.gov.uk</p>	<p>Education Service Gwasanaeth Addysg</p>	 <p>Newport CITY COUNCIL CYNGOR DINAS Casnewydd</p>
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Newport/Casnewydd
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NP20 4UR

5th March 2014

Planning Policy Manager
Newport City Council
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Dear Matthew

Re: Percoed Reen

I have had the opportunity to review the education labels in the Local Development Plan (LDP) against the 21st Century Schools Strategic Outline Programme of 2010 and 2011 and wish to set out the position by the Chief Education Officer in respect of Percoed Reen which is currently being retained for education provision in future years.

At one stage, some years ago there were aspirations to put a school on this site, however I am unable to access the sufficient level of capital financing to build a new school on that site. I do not foresee significant levels of capital investment to emerge in the next few years. I am also in the position of rationalising our school estate and am unable to retain estate where the investment will not be forthcoming.

I have reviewed this matter again today with colleagues and given the environmental issues associated with the site, I would have no objection if it were removed from the LDP.

I trust that you will action this for your records accordingly.

Many thanks.

Yours sincerely



Amanda B Davies
Assistant Head of Education (Planning)
For and on behalf of the Chief Education Officer