

Report To: Council

Date of Meeting: 14<sup>th</sup> May 2019

Lead Member/ Officer: Cllr Brian Jones, Lead Member for Highways, Planning & Sustainable Travel

Report Author: Angela Loftus, Strategic Planning & Housing Manager

Title: Denbighshire's Replacement Local Development Plan – Draft Preferred Strategy



## **1. What is the report about?**

- 1.1 This report sets out work undertaken so far on Denbighshire's Replacement Local Development Plan and presents the recommendations from the Council's Strategic Planning Group regarding the Draft Preferred Strategy for the LDP. The Replacement LDP will provide up to date planning policies and site allocations for development to address issues and needs in the County to cover the period 2018 – 2033.
- 1.2 Having an up-to-date LDP is a fundamental part of the plan-led system. The current LDP will expire in December 2021 and there is a need to have a Replacement Plan in place by then.
- 1.3 The Denbighshire Replacement LDP Delivery Agreement sets out the timetable for producing the Replacement LDP and this was approved by Council on 15<sup>th</sup> May 2018, and subsequently by Welsh Government. Appendix 1 sets out the key stages in the Council's approved timetable.
- 1.4 The timetable is tight and the risk of any delays is that the current LDP will expire before the Replacement LDP is adopted, resulting in having no adopted LDP in place, no housing supply and no local policies. With pressure to provide housing, applications for development are likely to be submitted on sites not

supported by the Council with the significant risk that developers would be successful on appeal.

## **2. What is the reason for making this report?**

- 2.1 The purpose of this report is to present to Council the recommendations from the Strategic Planning Group and Cabinet regarding the Replacement LDP Draft Preferred Strategy (attached as Appendix 2) and to seek approval to consult on the draft Preferred Strategy. If agreed by Council, the document would be subject to an 8 week public consultation.

## **3. What are the Recommendations?**

- 3.1 That Council approves the Draft Replacement LDP Preferred Strategy (Appendix 2) for consultation;
- 3.2 That Council authorise the Head of Planning & Public Protection to make any minor wording and grammatical changes to the Draft LDP Preferred Strategy which may arise prior to consultation to ensure consistency with the LDP evidence base and Planning Policy Wales (Edition 10 December 2018);
- 3.3 That Council confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 3) as part of its consideration.

## **4. Report details**

### **Strategic Planning Group**

- 4.1 The Group was established in June 2018 with the purpose of leading the delivery of the Replacement LDP through providing a Corporate Steer and input to support its development. The Terms of Reference for the Group (attached as Appendix 4) state that the Group has a non-executive role but will report back and make recommendations to Planning Committee, Cabinet and/or Council as appropriate. The Group is chaired by the Lead Member with responsibility for the LDP, Cllr Brian Jones, and membership comprises the Chair of Planning Committee and one representative from each Member Area Group. Members have been reporting back to their political groups and MAGs

and the LDP and SPG feedback is now a standard agenda item on all MAG agendas.

### Development of Draft Preferred Strategy

- 4.2 Detailed work has taken place which has been reported through and discussed at the SPG on developing a range of 'growth options' and 'spatial options', with the eventual choice forming the LDP 'Draft Preferred Strategy'. The Preferred Option sets the context for identifying how much development land is required for housing and employment and where that development should be broadly located. This stage is about developing a high level strategy and not identifying individual sites.
- 4.3 The growth options considered by the SPG considered how much development there should be across the whole county during the life of the LDP. Six growth options taking account of population forecasts, migration trends and employment growth, have been developed and tested by the SPG.
- 4.4 The spatial options considered by the SPG assessed where new development should be located. Four options were developed, taking account of the existing size and function of the County's settlements, as well as access to facilities and transport links. Further detail on the options considered by the SPG is set out in the draft Preferred Strategy document (Appendix 2). In developing these options the SPG had regard to various reports, broader Member input via Member Area Groups and Member Workshop in January and three informal drop in events held for County Councillors, City, Town & Community Councils in February.
- 4.5 The Strategic Planning Group have considered the options proposed together with feedback from the stakeholder engagement. The Group has considered, and had regard to, other contextual information, in particular the Council's corporate priorities as contained in the Corporate Plan, Economic and Community Ambition Strategy and North Wales Economic Ambition Strategy. The North Wales Economic Ambition Strategy, as endorsed by all 6 North Wales Local Authorities including Denbighshire County Council, stresses the need for *'market responsive, well-serviced, readily available development sites that meet the needs of current and future economic sectors and clusters, especially along the A55 corridor.'*

4.6 The majority of the Strategic Planning Group at their meeting on 5<sup>th</sup> April agreed to recommend preferred growth levels, the proposed spatial approach and the complete draft Preferred Strategy document (Appendix 2) to Cabinet and Council. The Chair of the SPG (i.e. the Lead Member) and Elwy MAG representative supported the housing growth figure, but not the employment land figures, so by implication also did not support the proposed spatial approach. The Draft Preferred Strategy was reported to Cabinet on 30<sup>th</sup> April where SPG recommendations were agreed to be recommended to Council.

4.7 In summary, the draft LDP Preferred Strategy sets out the following:

Draft Proposed Levels of Growth:

- 68ha of employment land to accommodate a forecasted land requirement of 47.6ha
- Land for 3,775 new homes to meet a forecasted housing requirement of 3,275 homes

Draft Proposed Spatial Approach:

- Focus development in serviced settlements including a Strategic Site at Bodelwyddan: the top three tiers in the settlement hierarchy (main centres, local centres and villages) with more limited growth in other unserved settlements (infill & small sites within development boundaries), primarily focussed on meeting local needs.

4.8 It is important to note that at this stage, the LDP Preferred Strategy only sets out the LDP Vision, Objectives, preferred growth level and broad locations for potential future development as well as draft key policies required to deliver the Preferred Strategy. At this stage it does not include allocations for housing, employment or any other land use designations (including Gypsy and Traveller allocations); they will form part of the detailed Deposit Plan which is due for consultation in Spring 2020.

4.9 A number of technical documents sit alongside the draft Preferred Strategy, these include a number of background papers and background evidence (listed on page 5 of the draft Preferred Strategy), and have informed its development. The following documents will form part of the forthcoming consultation:

- Wellbeing Impact Assessment

- Sustainability Appraisal/Strategic Environmental Assessment
- Habitats Regulations Appraisal

In addition, there is a statutory requirement for the Council to prepare and make the Register of Candidate Sites available for consultation at this stage.

### **Next steps**

- 4.10 Subject to Council approval, the next key step in the LDP process is publication and consultation on the Draft Preferred Strategy. This is the first statutory consultation stage in the LDP preparation process and sets out the Council's draft broad approach to the scale and location of growth. Following consultation and any subsequent amendments, it will provide the strategic framework for more detailed policies, proposals and land use allocations, which will subsequently be included in the Deposit Replacement LDP. Subject to approval, public consultation on the Draft Preferred Strategy will take place for 8 weeks. The methods of consultation are set out in Delivery Agreement and will include the Council's website and consultation portal and a number of drop in sessions across the County. In addition, officers will attend all Member Area Groups.
5. **How does the decision contribute to the Corporate Priorities?**  
The development of a Replacement LDP will contribute to all Corporate Priorities: Housing; Connected Communities; Resilient Communities; Environment & Young People
6. **What will it cost and how will it affect other services?**  
The cost of producing a replacement LDP will continue to be reviewed in detail over the coming months. Budget for the review has been accrued on an annual basis and will be available for this work.
7. **What are the main conclusions of the Well-being Impact Assessment? The completed Well-being Impact Assessment report can be downloaded from the [website](#) and should be attached as an appendix to the report.**  
On-going Wellbeing Impact Assessment will inform the development of the replacement LDP, alongside Sustainability Appraisal. Wellbeing Impact Assessment has been undertaken on the contents on the draft Preferred Strategy and its conclusions are broadly neutral or positive. Much of the mitigation identified will be included at the Deposit stage when detailed

policies will be developed which will demonstrate that negative impacts can be mitigated.

**8. What consultations have been carried out with Scrutiny and others?**

The emerging replacement LDP will be subject to engagement and consultation with the public and other stakeholders. The LDP has been discussed regularly at MAG meetings and is a standing item on every MAG meeting agenda. A Members Workshop was held on 25<sup>th</sup> January and three informal drop in sessions were held for Councillors, City, Town & Community Councils in February. In addition a Councillors Briefing session was held on 25<sup>th</sup> April. The SPG has met on a regular basis and has led the development of the Preferred Strategy.

**9. Chief Finance Officer Statement**

The costs of undertaking producing a replacement LDP will be assessed in detail over the coming months. There is a specific Council LDP Reserve set-up for this purpose to which the Planning and Public Protection service makes an annual contribution of £20k. This Reserve has been specifically established to help meet the costs associated with any review and replacement LDP.

**10. What risks are there and is there anything we can do to reduce them?**

The approved Replacement LDP Delivery Agreement includes a detailed risk assessment for the development of the replacement LDP. In summary, the main risks identified include staff resources, changing legislation and national policy and timetable delays due to unexpectedly high volumes of consultation response or lack of consensus. The Replacement LDP Delivery Agreement builds in some flexibility to allow for unexpected delays and project planning will help to minimise these risks. Delays to the timetable could result in having no LDP in place post 2021, when the current LDP effectively expires. Significant delays could result in Welsh Government intervention. There is also a risk of Welsh Government requiring a different approach or growth levels, this risk can be minimised by ensuring a robust evidence base and on-going discussions with WG.

**11. Power to make the Decision**

Planning and Compulsory Purchase Act 2004, Planning (Wales) Act 2015