



## **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

### **CABINET**

**17 OCTOBER 2019**

#### **RHONDDA CYNON TAF LOCAL DEVELOPMENT PLAN REVIEW REPORT**

#### **REPORT OF DIRECTOR OF PROSPERITY AND DEVELOPMENT IN DISCUSSIONS WITH THE CABINET MEMBER FOR ENTERPRISE, DEVELOPMENT AND HOUSING, COUNCILLOR BEVAN**

**AUTHOR: SIMON GALE, DIRECTOR OF PROSPERITY AND DEVELOPMENT**

#### **1.0 PURPOSE OF THE REPORT**

- 1.1 Cabinet agreed on the 18<sup>th</sup> of June 2019 to undertake a review of the Rhondda Cynon Taf Local Development Plan (LDP) and agreed for officers to commence work on the preparation of a formal LDP Review Report and a Draft Delivery Agreement for the revision of the LDP. These key documents were then to be presented to Cabinet, prior to seeking full Council resolution of them in the Autumn.
- 1.2 The purpose of this report is to now present the LDP Review Report, outlining the key considerations and conclusions of the review of the Plan. A number of recommendations in relation to this Review Report are presented, which if agreed, will be followed by a subsequent report that will propose the Delivery Agreement for a revised LDP.

#### **2.0 RECOMMENDATIONS**

It is recommended that Cabinet;

- 2.1 Approve the content and conclusion of the Rhondda Cynon Taf Local Development Plan Review Report (forming Appendix 1 of this report), which outlines the reasons for and the need to revise the Local Development Plan for Rhondda Cynon Taf.
- 2.2 Allow for the Review Report to be circulated to targeted key stakeholder bodies (such as NRW, utility companies and Planning Inspectorate Wales) in order to gain their formal comments on the content and conclusions of the report. Welsh Government have already

been involved in early stages of the preparation and content of the report, and will continue to be so.

- 2.3 Give authorisation to the Cabinet Member for Enterprise, Development and Housing to determine, through a delegated decision, that appropriate amendments are made to this Review Report, prior to reporting the Review Report to Council for approval.

### **3.0 REASONS FOR RECOMMENDATIONS**

- 3.1 The LDP Review Report has been prepared following the full review of the Rhondda Cynon Taf Local Development Plan (LDP) 2006 -2021, which was adopted in March 2011.
- 3.2 The Review Report sets out the analysis of the evidence that has been gathered over the past 8 years in relation to the monitoring of the LDP, the success of its delivery and appropriateness of its policies and allocations. The conclusion of the report determines what revisions are necessary for the LDP in Rhondda Cynon Taf.
- 3.3 Firstly, the Review Report acknowledges that the end date of the current plan is 2021. A key source of information for the review is the combined results of the 7 Annual Monitoring Reports of the LDP that have been prepared thus far. Further to this is the consideration of contextual changes that have taken place during the plan period that have affected its delivery or will affect its future use. These include changes in national legislation and policy. The report also outlines the contextual changes that have taken place during the plan period; these may be local or global economic conditions, changes in the various topics and further evidence base changes.
- 3.4 The Review Report concludes that there is a need to prepare a full revision of the Rhondda Cynon Taf LDP.
- 3.5 It is considered that all areas of review have been covered and although not statutory, it is recommended that consultation takes place with key stakeholders on the Review Report. These will include, but not be limited to NRW, utility providers such as DCWW, gas and electricity providers, Cadw and the Planning Inspectorate. There will not be a general public consultation. These bodies may indicate some appropriate small amendments to the report.
- 3.6 There are pressing timelines to begin preparations of the revision of the Plan. It is therefore necessary to request that the Cabinet member has delegated powers to agree any subsequent amendments that may arise as a result of the consultation; prior to presenting the report to Council.

## **4.0 BACKGROUND**

- 4.1 The LDP sets out the aims, vision and objectives for the future of the County Borough, a spatial development strategy and a land use planning policy framework to enable its successful delivery. The LDP has formed the basis for decisions on new development in the County Borough, (excluding the area within the Brecon Beacons National Park) since 2011, with the plan having an end date of 2021.
- 4.2 Following the adoption of the LDP, the Council has a statutory obligation to keep all matters under review that are expected to affect the development of its area. This is primarily undertaken by the preparation of the Annual Monitoring Reports (AMRs) of the LDP. These reports consider the success, progress and delivery of the core policies and allocations in the LDP, in relation to their specific targets and indicators. It also encapsulates the results of ongoing, annual surveys for the LDP topic areas, any updates of the evidence base and the analysis of contextual changes that may affect the Plan i.e. national legislation and policy, local and wider economic conditions or development pressures.
- 4.3 The results of the AMR monitoring between 2011 and 2019, provide an interesting and varied picture of development in Rhondda Cynon Taf. The most notable findings indicate that:
- During the LDP plan period, a considerable total of 6,299 houses have been built in RCT. Of these, 4,543 of them have been built since the plans' adoption. The figure for 2016-2017 of 716 dwellings was the highest number of completions since the adoption of the LDP. This was from a low of 357 in 2012, and has gone back down to 386 completions in the past year.
  - There have been 1,214 affordable houses completed during the plan period and 1,006 since the adoption of the LDP in 2011. The figure for 2016-2017 of 248 was the highest number of affordable housing completions since the adoption.
  - Over 13,000 houses have been permitted by the Council since 2006, and 9,192 since 2011. The year with the highest number of permissions was 2015/16, with 2,264 dwellings approved.
  - The overall vacancy rate for Principal Town and Key Settlement retail centres for 2018/19 is 12.37%. This is 2.27% above the UK average vacancy rate, which stood at 10.1% in October 2018 but better than the Welsh average of 13.6% for the same period.

- Of the total 98ha of employment allocations, only 4.63ha has been granted planning permission since the adoption of the LDP. However, permissions for a range of new employment developments have been given on over 27 hectares of land throughout RCT during this time.
  - The major Church Village bypass was constructed during the plan period, and the Aberdare bypass extension scheme and the dualling of the A4119 at 'Stinkpot Hill' are progressing towards planning application stage.
  - Major works have been completed on the Talbot Green bypass, including further lanes and signalled junctions at the Mwyndy Cross roundabout. The Mountain Ash southern cross valley link construction is nearing completion. The Llanharan bypass scheme is progressing towards planning application stage.
  - To date, 10 of the 35 highways, park and ride, rail and cycle network schemes have been completed while a further 4 have been partially completed.
  - The total permitted waste management capacity stands at 9.95 hectares, equating to 79.6% of the lower capacity requirement or 45.9% of the higher capacity requirement as set out in the Regional Waste Plan.
  - To date, in the Northern Strategy Area, 19 allocations have either been implemented, subject to planning consent or part of the allocation has been permitted. This equates to 42% of all 45 Strategic Site, residential, employment, retail and transportation allocations.
  - In the Southern Strategy Area 21 allocations have either been implemented, subject to planning consent or part of the allocation has been permitted. This equates to 55% of all 38 Strategic Site, residential, employment, retail and transportation allocations.
- 4.4 Although many of our allocations have been developed or benefit from planning permission, it is now accepted that there remain too many that haven't progressed as was forecast in the LDP; nor are they likely to in the remaining plan period. Further to this we have a short term housing land supply of just 1.3 years.
- 4.5 Pressure for development outside settlement boundaries has been witnessed in recent years, giving decision makers and the public less confidence in the planning system. That is not to say our important ecological, landscape and resource designations continue to be successfully protected.

- 4.6 Many of our Strategic Sites and allocations are, on brownfield sites, many of which are coal mining legacy sites that require significant land reclamation, restoration and decontamination. At the time of LDP preparation, there were still significant funding opportunities for land reclamation schemes for such sites. However, funding for land reclamation at this scale has not been readily available in recent years and this has compromised the viability of these particular sites.
- 4.7 The concept of viability of such development schemes on our allocations has come to prominence in recent years, particularly so in the weaker housing markets in the north of the County Borough.
- 4.8 The global economic recession in 2008 has clearly had a longer lasting debilitating legacy on the housebuilding industry than was expected when preparing the LDP.
- 4.9 It is, however, acknowledged that the projections and trends on which our housing requirement figures were based have also not materialised. Accordingly, there is clear need to revisit these population and household projections in order to identify a more suitable requirement for new housing going forward. Housing needs have also evolved over the plan period, with the re-evaluation of housing policies required.
- 4.10 Our employment allocations have seen very little take up, with just around 5 hectares of the 98 hectares allocated currently developed. However around 27 hectares of employment land has come forward, albeit on existing sites, which themselves are thriving with very low vacancy rates.
- 4.11 There has been mixed success with regards to retail allocations. Some sites have come forward for development, although other permitted sites have not, due to market changes during plan period. Our main town centres remain vibrant with comparably low vacancy rates. This is particularly so in relation to those having benefited from major, successful regeneration schemes; whilst those that are doing less well, are currently subject to new, targeted regeneration schemes.
- 4.12 Most of our evidence base is now over 10 years old, and the key topics of housing, retail and employment in particular need revisiting, amongst all those identified in section 4 above.
- 4.13 Based on the existing evidence base, the following studies are expected to require updating in order to inform the LDP revision process, as a minimum:
- Retail Study
  - Sustainability Appraisal / Strategic Environment Assessment

- Housing Needs Assessment
- Local Housing Market Assessment
- Candidate Sites Assessment
- Population and Dwelling Projection Report
- Urban Capacity Study
- Employment Land Review
- Infrastructure Needs Study
- Leisure Study
- Renewable Energy Study
- Minerals Background Paper
- Open Space Assessment
- Gypsy and Traveller Accommodation Assessment

- 4.14 This is not a definitive list and additional update requirements to the evidence base may emerge when a plan revision progresses e. g viability studies.
- 4.15 The environmental impact of the plan has been monitored through the Sustainability Appraisal (SA) incorporating Strategic Environment Assessment (SEA) indicators and reported each year in the Annual Monitoring Report. The monitoring process has identified a number of opportunities for SA monitoring indicators to be updated and/or improved, as certain statutory indicators no longer apply.
- 4.16 Other contextual changes outlined in the report, include major changes that have taken place in national legislation and planning policy since the preparation of the current LDP. This has a significant effect on the baseline evidence that informs the plan, its content and principles. Significant new requirements in the Active Travel (Wales) Act, 2013, Housing (Wales) Act, 2014, Planning (Wales) Act, 2015, Wellbeing of Future Generation Act 2015, Environment (Wales) Act, 2016 and Planning Policy Wales Edition 10 along with the Welsh Language and Suds Approval Bodies indicates the need to revisit the content and principles of our LDP Strategy and policies.
- 4.17 The emergence of greater national priorities such as climate change and the low carbon economy, green infrastructure and other Wellbeing of Future Generations considerations are not appropriately addressed in the current LDP, and should now be so.
- 4.18 The review will give the Council the opportunity to recognise emerging issues and properly plan for matters such as Metro, the expanding Tourism offer in RCT and the changing nature of our town centres.
- 4.19 Full consideration is given to the opportunity to prepare Joint LDP's with any of our 7 neighbouring Local Planning Authorities, as is required through regulation. None were suitable for formal joint plans,

although opportunities will still be explored to commission joint evidence base preparation and save on resources.

- 4.20 The period the plan will cover needs to be considered as will its association with the Strategic Development Plan (SDP). Rhondda Cynon Taf have agreed to be part of and contribute to the SDP, although there are several more Local Authorities yet to do so. It is the current indicative intention that the SDP would have a plan period of between 2020 and 2040. The recent SDP reports to Council indicated an earliest adoption date of 2025. It is considered that the LDP would come into force in advance of the SDP, but sit underneath it in terms of hierarchy of plans. The emergence of the National Development Framework, and regional considerations within that, would enable for measured decisions to be made to seek to align the LDP with the emerging SDP.
- 4.21 Accordingly, it is considered that the preparation of an LDP is necessary for the County Borough in the interim period, with a shortened plan period of 10 years i.e. 2020 to 2030. This is the shortest period allowed by Welsh Government. Once the SDP is adopted, then a more streamlined LDP Lite can be prepared to sit below the SDP.
- 4.22 The Review Report considers all these matters and has concluded with a recommendation that a full revision of the LDP is required.
- 4.23 Financial considerations of these recommendations are briefly considered below in section 7 and considered in detail in the associated Draft Delivery Agreement for the revision of the LDP and its covering Cabinet Report that is written to follow this report, if agreed.

## **5.0 EQUALITY AND DIVERSITY IMPLICATIONS**

- 5.1 An Equalities Impact Assessment screening exercise has been undertaken that indicates that there are no expected negative impacts on the protected characteristics and a full assessment is not required. However, the scope of the LDP will result in some of these matters being considered further, and if necessary will develop and incorporate policies that may have a positive impact on some of these characteristics.

## **6.0 CONSULTATION / INVOLVEMENT**

- 6.1 The Review Report has been prepared in consultation with various internal Council departments. However, further, detailed consultation will take place following Cabinet agreement, with targeted stakeholder

bodies. There will be no public consultation on the Review Report, although the final Welsh Government approved report will be made public during the pre-deposit stage of revised Plan preparation.

## **7.0 FINANCIAL IMPLICATION(S)**

- 7.1 The overall cost of the preparation of the LDP (non staffing resources) is estimated to be £600,000. Considering banked reserves and continuing budgets, there is sufficient budget to cover these costs. A further £39,233 per annum is then required to part fund an identified necessary new post in the team structure. Further budget and staffing requirements are outlined in the associated LDP Delivery Agreement Report.

## **8.0 LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

- 8.1 The LDP will be prepared in accordance with The Planning and Compulsory Purchase Act (2004), the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (as amended 2015), Planning Policy Wales 2018, the Planning (Wales) Act 2015 and the Strategic Environmental Assessment (SEA), Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA).

## **9.0 LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.**

***How the subject of the report will contribute to the delivery of the Council's Corporate Priorities?***

- 9.1 The production of a Local Development Plan will help to deliver the Council's three main corporate priorities of building a strong economy, promoting independence and positive lives for everyone and creating neighbourhoods where people are proud to live and work. The production of this land-use plan will help to stimulate the local economy through market and social house building, as well as providing for employment and retail development across the Capital Region. Working together to shape our communities will instil a sense of pride and allow people to live and work independently, wherever they so choose. The LDP will also help to deliver the transport infrastructure that keeps the Cardiff Capital Region and Rhondda Cynon Taf working and moving, in a sustainable way that benefits current and future generations.

**How the Sustainable Development principle, i.e. the five ways of working has been considered?**



9.2 The LDP will be a key project demonstrating the 5 ways of working in action:

- Integration – the preparation of the LDP will bring together all land use planning issues relevant at a strategic level across the Cardiff Capital Region, involving our partners, residents, visitors, employers and service providers in the formulation of the Plan.
- Collaboration- the LDP will be a key collaboration project for the region enabling the 10 Local Planning Authorities to work together to form a Plan for the region.
- Involvement – preparation of the LDP will provide numerous opportunities to engage with our residents and customers, including the business community and ensuring that we are listening to a wide range of views to inform the plan and decision making process.
- Prevention – the LDP provides an opportunity to understand the root causes of issues and preventing them by being proactive in our thinking and understanding the need to tackle problems at source for example by undertaking needs assessments to inform our priorities.
- Long-term – the LDP will be all about planning for the future and taking a strategic approach to ensure the Cardiff Capital Region is sustainable and that we understand the future need and demand for sustainable development in the region and how that is best met.

**How the subject of the report seeks to maximise the Council's contribution to seven national well-being goals?**

9.3 The LDP will contribute to the seven well-being goals by working together with other public services and third sector organisations to improve the well-being of everybody in Wales. This new approach seeks to improve public services in a sustainable way, for the benefit of all. The SDP will help to ensure:

- A Prosperous Wales – The LDP will promote a productive, creative and low-carbon society that recognises the limits of our resources and global environment, by ensuring that our finite resources are used efficiently and proportionately. It will also help to develop a skilled, well-educated population to work within an economy that generates wealth and provides employment opportunities for all.

- A Resilient Wales – The LDP will help to ensure that the region maintains and enhances a bio-diverse natural environment with healthy, functioning ecosystems that support social, economic and ecological resilience with the ability to adapt to change.
- A Healthier Wales – The LDP aims to help build a society in which people’s mental and physical well-being is maximised through access to green space, and helps to foster an understanding of choices and behaviours that benefit future health.
- A More Equal Wales – The LDP will seek to enable people to fulfil their potential no matter what their background or circumstances. It also aims to help communities effectively tackle the loneliness and isolation that can often exist within many of them.
- A Wales of Cohesive Communities – The LDP, via the place-making principle, will help to foster attractive, safe, viable and well-connected communities that improve the well-being of all residents and visitors.
- A Wales of Vibrant Culture and Thriving Welsh Language – The LDP will support a society that promotes and protects our culture, heritage and Welsh language, whilst encouraging people to participate in the arts, sport and recreation.
- A Globally Responsible Wales – The LDP will contribute towards Wales being a nation which, when doing anything to improve our economic, social, environmental and cultural well-being; will take account of whether doing such a thing makes a positive contribution to our global well-being.

**Any other national strategies the subject of the report is seeking to address.**

- 9.4 The Planning Directorate in Welsh Government is working on the production of a National Development Framework (NDF), which will set out a 20-year land-use framework for Wales and replace the existing Wales Spatial Plan. Once the final NDF is published (anticipated September 2020), the LDP will need to be in general conformity with the aims and objectives of the NDF, sitting above the SDP, and subsequently the LDP in the development plan hierarchy within Wales.

## **10.0 CONCLUSION**

- 10.1 Having regard to the above, it is considered necessary to recommend that Rhondda Cynon Taf proceed with the preparation of a full revision of their Local Development Plan for the period 2020 to 2030.
- 10.2 It is also necessary to allow for the Review Report to be circulated to targeted key stakeholder bodies (such as NRW, utility companies and Planning Inspectorate Wales) in order to gain their formal comments on the content and conclusions of the report.
- 10.3 Further, authorisation should be given to the Cabinet Member for Enterprise, Development and Housing to determine, through a delegated decision, that appropriate amendments are made to this Review Report, prior to reporting the Review Report to full Council to seek its approval.
- 10.4 If this is agreed, then the following Cabinet Report, presenting the revised LDP Delivery Agreement, sets out the most appropriate timetable, budget, staffing and other resources along with the proposed Community Involvement Scheme, necessary to undertake the preparation of a full revision of the LDP.

### **Other Information:-**

***Relevant Scrutiny Committee***  
Overview & Scrutiny Committee

***Contact Officer:***  
Simon Gale

**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

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**Item:**

**Background Papers**

None.

Officer to contact: Simon Gale