



# **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2023**

**COUNCIL**

**12<sup>TH</sup> JULY 2023**

**REVISED LOCAL DEVELOPMENT PLAN (RLDP) 2022 – 2037. UPDATE ON NATIONAL AND REGIONAL PLANNING MATTERS AND APPROVAL FOR A DELIVERY AGREEMENT AND TIMETABLE AMENDMENT FOR THE CONTINUED PREPARATION OF THE RLDP.**

## **REPORT OF THE DIRECTOR OF PROSPERITY AND DEVELOPMENT**

### **1. PURPOSE OF THE REPORT**

- 1.1 This report sets out ongoing national and regional planning matters that are having an influence over the preparation of the Revised Local Development Plan 2022 - 2037 (RLDP).
- 1.2 In light of these matters, the report seeks Council approval to make an amendment to the official RLDP Delivery Agreement, specifically its timetable.

### **2. RECOMMENDATIONS**

It is recommended that Council:

- 2.1 Acknowledge the matters, as set out, that are affecting the preparation of the RLDP in accordance with its approved timetable.
- 2.2 Approve a proposed amendment to the RLDP Delivery Agreement timetable to incorporate an extension period for its preparation. This is set out in the following report in section 5 and in the proposed new Delivery Agreement which is attached as Appendix 1.
- 2.3 Subject to the above, seek necessary Welsh Government agreement to the Delivery Agreement changes.
- 2.4 Authorise the Director of Prosperity & Development to make minor changes to the timetable in consultation with the Cabinet Member for Development and

Prosperity. To request that the RLDP Steering Group are sighted upon any such amendments made by the Director of Prosperity & Development.

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 Preparation of the RLDP has continued positively in the past year since it began in April 2022. Considerable evidence preparation and gathering, public and internal engagement and continued assessment of up to 300 proposed development sites has taken place.
- 3.2 Further analysis of the most up to date Issues and Objectives for the RLDP to address/achieve has been undertaken and finalised. Options for the appropriate levels of development growth, alongside options for where this will happen, have been formally prepared.
- 3.3 As Members may recall, the current Delivery Agreement (DA), and the timetable set out within it for the preparation of the RLDP, indicated that the first formal consultation on the Preferred Strategy should be beginning in June or July this year
- 3.4 However, a number of factors have arisen whereby it was considered necessary to re-evaluate how this could be achieved. (as raised in the most recent RLDP Members Steering Group)
- 3.5 Firstly, there are several ongoing matters and proposed changes to national and regional planning policy and guidance and other matters, that have impacted upon our RLDP preparation and resulting in delays.
- 3.6 There are then more general and internal considerations that have arisen that need to be addressed, which have been mostly unforeseen.
- 3.7 Accordingly it has become necessary to seek to extend the agreed timetable for the preparation of the RLDP. The statutory Local Development Plan regulations allow for an expected 3-month 'slippage' period to be added to the timetable at any necessary time. For the reasons set out in this report, it is considered that it is necessary to implement this period now; along with an additional 4 months extension to the overall timetable.
- 3.8 Discussion with, and advice has been taken from, Welsh Government planning officers, indicating that an appropriate period should be considered for timetable extension to ensure that there is no further slippage further down the line of RLDP preparation.
- 3.9 The table in section 5.2 indicates the proposed new timetable. Although this indicates a formal 6 weeks Preferred Strategy consultation to begin in January 2024, (which we will be bound to), we will nevertheless aim for the November 2023 Council for its approval. In doing so, the Strategy itself will be made public then and the instigation of the formal consultation exercise will follow as soon as possible following the Council decision.

3.10 It is also noted that the proposed adoption of the RLDP would be set back to and estimated date of May 2026. However, it should be acknowledged that the Council would approve the Deposit RLDP (the Revised LDP that the Council are approving the principle of), in February 2025, where it would then be published for wide public consultation.

#### **4. BACKGROUND**

4.1 This section of the report outlines the matters that are continuing to have an additional, and previously unforeseen effect on the preparation of the RLDP. Many of these are associated with ongoing changes at national and regional levels, in terms of planning policy, guidance, key information and collaborative working.

4.2 Members will be aware that determining where growth in LDPs should be allocated is significantly influenced by national planning policies including Welsh Government's 'Town Centres First' approach. Members may also be aware of the ongoing discussions taking place in respect of a new version of Technical Advice Note 15 (TAN 15) for Floodrisk which creates specific rules for the allocation of land in the RLDP and subsequent planning applications. Earlier draft versions issued by Welsh Government placed significant restrictions on development in flood zones and particularly for uses such as residential, health care and education. Whilst it is clearly important to prevent new development in flood plains, the early drafts also placed significant restrictions on development in our town centres as the majority of them are liable to flooding, being situated alongside rivers. Positive discussions between Council Planning and Flood risk practitioners and Welsh Government have taken place around how the document can be presented in a way that appropriate town centre regeneration can still take place and a new version of the TAN is expected in the New Year. Although we can now make fair assumptions against this expected version, our ability to make progress on growth options has until now been compromised as clearly the Council is supportive of including policies in the new plan that promote new development and regeneration in our town centres.

4.3 More recently, there have been proposed changes to Planning Policy Wales in relation to ecology and biodiversity. This seeks to increase the requirement for ecological enhancement in the planning process. Whilst the Council is clearly committed to promoting biodiversity and ecological enhancements, such requirements still impact on how we assess which sites can and should be allocated in the LDP and until we see the final version of the changes, we are left with levels of uncertainty in how we fully incorporate it into the LDP preparation process.

4.4 Other matters that remain unresolved include:

- the need to work with Councils across CCR to understand the need for regional growth and how the LDP fits into that picture
- incremental release of the 2021 Census information
- clarity on the planning implications of Welsh Government's Roads Review and what this means for strategic development in the north of the Cynon Valley and Llanilid in the south

4.5 Evidence gathered to date has indicated that around 8,500 new dwellings will need to be delivered over the plan period to meet the identified housing need. Existing planning permissions will contribute a lot, although we will need to identify several new sites in the right locations and of the necessary scale. Finding enough development sites that can meet the ever-increasing policy requirements set against the context described above of an uncertain and changing policy position requires a very comprehensive, ongoing and time consuming, assessment approach.

## 5. **Proposed Delivery Agreement Timetable Amendment**

5.1 Given the above factors, and overall scale of work required to be undertaken, we are not in a position to prepare and put out our Preferred Strategy to consultation by the end of July this year. Work has not sufficiently progressed on the strategy itself nor all associated documents and tasks. This would require a period for an Integrated Sustainability Appraisal on the main document and all associated evidence base documents. This would then all be subject to additional administrative processes prior to statutory consultation.

5.2 Accordingly, we need to amend our Delivery Agreement timetable to incorporate an extension period of approximately 7 months overall. The following table sets out the proposed amendments to the timetable. It is noted that the initial change would see the Preferred Strategy consultation stage pushed back to January 2024, hoping that all matters can be resolved appropriately, and to allow for opportunities for Council decision making. For information, the previously agreed dates have been shown, and crossed out, with the proposed new dates below them.

Key Stage	Date
Preparation of the Preferred Strategy	From April 2022
Consultation on the Preferred Strategy	<del>June/July 2023</del> January/February 2024
Preparation of the Deposit Revised LDP	<del>From August 2023</del> March 2024
Consultation on the Deposit Revised LDP	<del>July/August 2024</del> January/February 2025
Submit Revised LDP to Welsh Government	<del>November 2024</del> June 2025
Independent Examination	<del>April/May 2025</del> November/December 2025
Adoption	<del>October 2025</del> May 2026

## **6 EQUALITY AND DIVERSITY IMPLICATIONS / SOCIO-ECONOMIC DUTY**

- 6.1 The RLDP is subject to a bespoke and overarching Integrated Sustainability Appraisal (ISA). This ISA will assess each and every stage of the preparation of the LDP. There are multiple legislative facets to this, including an Equalities Impact Assessment.

## **7. WELSH LANGUAGE IMPLICATIONS**

- 7.1 Another key element of the ISA is to undertake a Welsh Language Impact Assessment and at each stage of the LDP.

## **8. CONSULTATION / INVOLVEMENT**

- 8.1 There has been informal consultation with Welsh Government on the proposed amendments to the Timetable, although they cannot be definitive with their approval of them until RCT have approved them ourselves.

## **9. FINANCIAL IMPLICATION(S)**

- 9.1 In general, the financial implication associated with this report and its proposals remain in line with those agreed at the outset of RLDP preparation in April 2022. It is not considered that an extension of the timetable of preparation of the RLDP would incur any significant additional financial implications that aren't budgeted for.

## **10. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

- 10.1 The new 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 2021, the Planning (Wales) Act 2015 and the Strategic Environmental Assessment (SEA), Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) regulations.

## **11. 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?***

- 11.1 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 County Borough. 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 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?**

11.2 The Local Development Plan will be a key project demonstrating the 5 ways of working in action:

- Integration - the preparation of the LDP will be bring together all land use planning issues across the County Borough, 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 stakeholders including residents to work together to form a Plan for the County Borough.
- 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 County Borough 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?**

11.3 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 LDP 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.**

- 11.4 The Local Development Plan will need to be in general conformity with the aims and objectives of Future Wales – The National Plan, which sits above the LDP in the development plan hierarchy within Wales.

## **12. CONCLUSION**

- 12.1 To conclude, it is requested that Members acknowledge the matters that are affecting the preparation of the RLDP in accordance with its approved timetable, as set out in the report above.
- 12.2 It is then recommended that Members approve a proposed amendment to the RLDP Delivery Agreement timetable to incorporate an extension period for its

preparation. This is set out above in section 5 of the report and in the proposed new Delivery Agreement which is attached as Appendix 1.

- 12.3 Subject to the above, it is then requested that we seek necessary Welsh Government approval of these Delivery Agreement changes.



**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

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

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**COUNCIL**

**12<sup>th</sup> JULY 2023**

**REVISED LOCAL DEVELOPMENT PLAN (RLDP) 2022 – 2037. UPDATE ON NATIONAL AND REGIONAL PLANNING MATTERS AND APPROVAL FOR A DELIVERY AGREEMENT AND TIMETABLE AMENDMENT FOR THE CONTINUED PREPARATION OF THE RLDP.**

**REPORT OF THE DIRECTOR OF PROSPERITY AND DEVELOPMENT**