



Geraint John Planning

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Representor ID: 1209

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By Email: ldp@bridgend.gov.uk ; LDPProgrammeOfficer@bridgend.gov.uk

C/O Amanda Borge
LDP Programme Officer
Bridgend County Borough Council,
Civic Offices,
Angel Street,
Bridgend,
CF31 4WB

Dear Sir / Madam,

BRIDGEND COUNTY BOROUGH COUNCIL LOCAL DEVELOPMENT PLAN EXAMINATION

RESPONSE TO MATTERS AND ISSUES – MATTER 1: PLAN PREPARATION AND LDP STRATEGIC FRAMEWORK

Please find enclosed, on behalf of, and under instruction from the landowners and promoting parties (Mr H Thomas, Mr J Knight, Ms J Naylor, and Mr & Mrs Grant), a submission to the Examination of the Local Development Plan (LDP) in relation to strategic housing allocation ref. PLA5 – Land East of Pyle.

This submission comments on matters and issues raised by, and set out in, the Inspectors' Matters and Issues Agenda to cover Matter 1: Plan Preparation and LDP Strategic Framework.

We look forward to attending the Hearing Session in respect of the matter above in due course. In the meantime, we hope and trust that all is in order with the submission. Please do not hesitate to contact us in the event that further information is considered beneficial.

Yours sincerely,

Geraint John
Director
Geraint John Planning Ltd

PREFACE

This submission relates to the matters and issues raised by, and set out in, the Inspectors' Matters and Issues Agenda to cover Matter 1: Plan Preparation and LDP Strategic Framework.

Each of the relevant issues raised in relation to the above matters are considered in detail below.

It should be noted that these submissions do not respond to every question raised within the Inspector's Agenda, as not all of these questions necessitate a response by us, and/or earlier submissions made on behalf of the Landowners (Representor ID. 1209) are considered sufficient to address the matters raised. Accordingly, these representations only provide responses to questions where it is considered necessary and relevant to do so.

QUESTIONS

Issue – Is the LDP legally compliant, and is the Plan's Strategy justified and likely to be effective in ensuring that development needs of Bridgend can be met in a way that contributes to the achievement of sustainable development?

Plan Preparation

1. Has the LDP been prepared in accordance with the requirements of:

- a. The approved Delivery Agreement, including the Community Involvement Scheme?**
- b. The Well-being of Future Generations Act (Wales) (2015)? And**
- c. The Equality Act (2010)?**

The Representor agrees that the LDP has been prepared in accordance with the requirements of the documents and papers referenced above.

2. Has the Plan been subject to a robust Sustainability Appraisal/Strategic Environmental Assessment? and have all the 'likely significant environmental effects' of the Plan and all 'reasonable alternatives' been identified, described and evaluated?

The LDP has been informed by a suite of impact assessments, including a Sustainability Appraisal (2021) incorporating Strategic Environmental Assessment, undertaken by Stantec. This assesses and outlines the likely significant environmental and wider sustainability effects of the Plan, and also identifies the reasonable alternatives. The Sustainability Appraisal has been through a number of stages and reporting (i.e. Sustainability Appraisal Scoping Report (2018), and Interim Sustainability Scoping Report (2019) to inform the LDP as submitted, through the incorporation of amendments.

The Sustainability Appraisal concludes that *"the final version of the Deposit Plan is now predicted to generate a range of likely significant beneficial effects on the environment and in relation to identified key sustainability issues, with no residual significant adverse effects considered likely."*

A detailed Sustainability Appraisal of each of the Candidate Sites has been undertaken (as included in Table D.1a of the Sustainability Appraisal (2021)) which has informed the selection of the allocated sites. Moreover, the Candidate Site Submission (and further information submitted by the strategic and allocated sites in particular) have been supported by a range of technical reporting and their own viability assessments. As such, it is considered that the Plan has been robustly assessed as well as the site's allocated within it.

5. Is the Plan consistent with Future Wales: The National Development Framework?

It is considered that the Plan has been prepared consistently and in accordance with Future Wales: the National Development Framework (NDF), which considers the issues significant to Wales's prosperity and well-being, such as the economy, housing, transport, energy and the environment.

BCBC have undertaken an assessment of the LDP to demonstrate conformity with the NDF (Background Paper 17: National Development Framework (NDF) Conformity Assessment). The report conclusions outline the following: *"This assessment has demonstrated the RLDP is in general conformity with and supports the delivery of the NDF, thereby providing a sound framework for enabling sustainable development in the County Borough."*

It is understood that the Council have been asked to confirm that the policies and allocations regarding housing requirement and supply contained in the Plan would not have an adverse impact on the future preparation or delivery of the Strategic Development Plan for South East Wales in the Inspector's letter (dated 2nd February 2023). The Representor considers that this is the case, and that the housing delivery is in line with the Strategic Development Plan, and therefore the plan is sound as a result.

Moreover, the Welsh Government, within their representations on the Deposit Plan, consider that *"Bridgend's Replacement Local Development Plan (2018-2033) is in general conformity with the National Development Framework."* It is therefore considered that the Plan is suitably consistent with Future Wales and this is supported by this response.

6. Has the Plan had regard to the requirements of the Well-being of Future Generations Act (Wales) 2015 with regard to the well-being goals and ways of working?

It is the Representors position that the Plan has duly considered the seven well-being goals (a prosperous Wales, a resilient Wales, a healthier Wales, a more equal Wales, a Wales of cohesive communities, a Wales of vibrant culture and thriving Welsh Language and a globally responsible Wales) and five ways of working (long-term, integration, involvement, collaboration, and prevention).

The 4 Strategic Objectives (SOBJ1, SOBJ2, SOBJ3, SOBJ4) within the LDP have been defined to cross-reference the goals and objectives of the Well-Being of Future Generations Act, and will serve to deliver the overarching vision through the strategic policies. Each strategic policy closely links with and references the pertinent goals of the Well-Being and Future Generations Act, and has been based on an on up-to-date and robust evidence base. It is therefore considered that the Well-being of Future Generation goals and objectives have been appropriately referenced within the Plan.

7. Have there been any significant changes in national policy or local circumstances since the LDP was placed on deposit? if there have, what are the implications of these changes for the Plan? do they need to be addressed through the preparation of new evidence and/or revisions to the Plan? what is the intended timescale for this work?

It is not considered that there have been any significant changes in national policy or local circumstances since the LDP was placed on deposit that could have adverse implications insofar as PLA5 – Land East of Pyle.

It is acknowledged that there has been a change in relation to flood risk and the forthcoming new TAN15 and associated New Flood Map for Planning. However, PLA5 is not adversely affected by flood risk with regards to either the Development Advice Map or the latest publication of the New Flood Map for Planning (November 2022).

A minor extent of the site, to the northern boundary and south of the railway, lies within a flood zone, albeit this has not been exacerbated by the new TAN15. JBA were commissioned in 2018 to prepare a high-level flood risk statement and drainage strategy for the proposed development at the site. The study concluded that the *"proposed development is located away from this small area of land and confined solely to areas of DAM Zone A"*. This has been accounted for and 'designed out' through the illustrative masterplan, with the space reserved for 'non-sensitive' uses e.g. open / green space.

The Candidate Site Assessment Report (2021) acknowledges this: *"A supporting masterplan and planning statement identifies and mitigates potential constraints relating to connectivity to Pyle via a proposed foot bridge in addition to taking into account potential flood risk. Therefore, the site is considered to be free of any significant constraints."*

Accordingly, the flood risk will not have any implications for site deliverability as it has been a consideration from the outset.

Vision, Objectives and Strategy

8. Is the Plan's Vision sufficiently aspirational and locally specific to form the basis for planning to 2033? and how will they be delivered?

The Representor agrees that the Plan's Vision is sufficiently aspirational and locally specific.

10. Does the Plan's Growth and Spatial Strategy represent an appropriate approach for delivering, managing and distributing growth over the Plan period?

a. How has the Growth and Spatial Strategy been derived and is it based on robust evidence?

The Growth and Spatial strategy provides the framework to help realise the regeneration priorities of the Council, whilst also apportioning sustainable growth towards existing settlements that benefit from existing services, facilities and employment opportunities. The Growth and Spatial Strategy has informed and resulted in the formulation of LDP Policy SP1 (Regeneration and Sustainable Growth Strategy), which has been informed by a wide evidence base – as identified within the policy text. This has included, but is not limited to, economic, demographic, housing market, viability, settlement, and Agricultural Land data and evidence.

Insofar as the proposed level of growth, this has been derived from Office of National Statistics data, and based on a 2019 Mid Year Estimate base year, with migration assumptions from a 6-year period (2013/14-2018/19). This period, which was pre-Covid 19, saw a high level of population growth within the County Borough, which can be reasonably expected to continue.

The resultant spatial strategy directs development to the most sustainable locations in accordance with the Settlement Hierarchy (as further discussed below).

Both the growth and spatial strategy are supported in principle by the Welsh Government in their representations to the Deposit Plan (2021).

Given all the above, the Representor is of the opinion that the Growth and Spatial Strategy has been based on robust evidence.

c. Does the Growth and Spatial Strategy represent a sustainable approach to planning over the plan period? and does it effectively link transportation, employment and residential growth?

The Growth and Spatial Strategy, through Policy SP1, "*apportions sustainable growth towards settlements that already benefit from significant services, facilities and employment opportunities and are most conducive to enabling transit orientated development; Sustainable Growth Areas. These includes the Main Settlements of Bridgend and Pencoed along with the grouped Main Settlement of Pyle, Kenfig Hill and North Cornelly*" (GJP emphasis added).

Moreover, para. 4.3.34 of the Plan states that the Sustainable Growth Areas "*have been identified as areas most conducive to sustainable urban growth and appropriate urban expansion in a manner that will ensure the County Borough's housing requirements can be met.*"

The adoption of this approach in practice is reflected by 85% of all allocation sites, and 66% of housing allocations, being located within the identified Sustainable Growth Areas (Table 6 of the Plan).

On this basis, the site promoter asserts that a sustainable approach to the Growth and Spatial Strategy has been adopted.

e. Is the Strategy and policy framework consistent with national planning policy relating to Flood Risk?

It is noted that the latest update to TAN 15 and the New Flood Map for Planning was in November 2022, following the submission of the Plan for examination. It is also noted that the Council have been asked to review the policies and allocations in relation to any alterations which may have occurred from the flood zones in the updated maps.

As aforementioned, PLA5 is not adversely affected by flood risk, with regards to either the Development Advice Map or the latest New Flood Map for Planning. Accordingly, the site's continued inclusion in the Plan is considered to be sound.

11. How was the Settlement Hierarchy derived, and is it based on robust and credible evidence?

a. What is the purpose of the settlement hierarchy? will it guide new development to the most sustainable locations? and is it clear what types and amount of development, other than housing, will be appropriate in each tier of the hierarchy?

The settlement hierarchy, as set out under Policy SF1 (Settlement Hierarchy and Urban Management), defines the settlements in terms of their sustainability: Primary Key Settlement (Tier 1), Main Settlements (Tier 2), and Local Settlements (Tier 3). This has been informed by, and has regard to, the BCBC Settlement Assessment (2019, revised 2021), which analyses the components of existing settlements, their functional relationships with each other plus their current and potential future roles.

It is noted that the Welsh Government, at the Preferred Strategy stage, commented that they were "*broadly supportive of this approach.*"

The resultant settlement hierarchy identifies the most appropriate locations to accommodate future development in order to achieve a sustainable pattern of growth, and has directly informed the spatial distribution of new housing allocations – this is evident through the majority of housing allocations

being directed to Tier 1 and Tier 2 settlements, which includes Pyle, Kenfig Hill and North Cornelly – 42% and 46% respectively (Table 6 of the LDP).

In light of the above, the site promoter considers that the Settlement hierarchy has been based on robust and credible evidence, which is reflective of the approach taken nationally.

b. What is the rationale for the proportions of development split across the tiers?

Policy SP1 seeks to apportion growth primarily to the Tier 1 and Tier 2 Settlements in accordance with the LDP spatial strategy. This is evident in Table 6 of the LDP, which outlines that 90% of all allocated sites (housing and employment) have been located within Tier 1 and Tier 2, with the remaining 10% to be located within Tier 3 settlements. In respect of the housing allocations, 88% of units have been apportioned to Tier 1 and Tier 2 units, as outlined above.

The Tier 1 and Tier 2 settlements are largely comprised by Sustainable Growth Areas representing a total of 66% of units across all housing allocations. In respect of PLA5, the Tier 2 settlement of Pyle, Kenfig and North Cornelly is subject to 13% of the units.

Policy SP2 (Regeneration Growth Areas and Sustainable Growth Area Strategic Allocations) builds upon Policy SP1 and directs growth to the Regeneration Sites and Sustainable Urban Extensions within the Regeneration Growth Areas and Sustainable Growth Areas. The importance of the strategic sites in achieving the LDP Vision and Objectives is acknowledged at para. 4.3.65: "*The sites within SP2 are considered essential to delivery of the LDP...*" (GJP emphasis added).

The proportion split of development across the settlement tiers, and associated strategic sites, including PLA5, are therefore critical to the successful implementation and delivery of the Plan.

c. Are the settlement boundaries drawn sufficiently widely to enable the predicted amount of growth?

It is considered that the revised settlement boundary of Pyle has been drawn sufficiently widely to enable appropriate and controlled growth through the development of the allocated sites, including PLA5. The proposed settlement boundary of Pyle is therefore supported by the Representor.

14. Is the approach to site selection sufficiently clear and transparent, and is it founded on a robust and credible evidence?

a. Are the allocated sites based on a robust site assessment methodology that takes into account all potential constraints?

It is considered that the Candidate Sites have been through a rigorous and thorough assessment process, incorporating work and evidence by both BCBC and the site promoter. All allocated sites are underpinned by detailed and robust technical evidence to evidence viability and deliverability. This has included the submission of information by site promoters, and review and assessment of potential constraints by BCBC in dialogue with site promoters, as can be seen and summarised at Appendix 5: Implementation and Delivery Appendix of the LDP Written Statement Submission Document. The Representor therefore submits that robust site assessments have been undertaken by the Council – and specifically in relation to site PLA5.

b. Have all infrastructure requirements been considered to ensure the timely deliverability of allocated sites?

The infrastructure requirements to deliver the allocated sites has been comprehensively considered as part of the candidate site assessment process. Insofar as PLA5 – Land East of Pyle, it has been

demonstrated that the site is not subject to any constraints in terms of infrastructure or otherwise which could affect the delivery of the site.

Indeed, the conclusions of the Candidate Site Assessment (2021) set out the following:

*"The candidate site is located on the periphery of Pyle which is identified as a Sustainable Growth Area (as defined by SP1). The site has the potential to provide new primary schools and 2000 homes in Pyle, of which possesses a wide range of services and facilities in addition to sustainable transport links. This site will make an important contribution to meeting the housing need of the County Borough. A supporting masterplan and planning statement identifies and mitigates potential constraints relating to connectivity to Pyle via a proposed foot bridge in addition to taking into account potential flood risk. Therefore, **the site is considered to be free of any significant constraints**. The site is therefore allocated for development in the Deposit Plan."* (GJP emphasis added).

Detailed transport assessment has been completed by Corun Associates Ltd., undertaken on the basis of an upper limit of 2,320 dwellings, and in association with the Local Highways Authority. This assessment work has, whilst concluding that there are no highways safety concerns in the vicinity of the site, identified opportunities for mitigatory measures to be implemented as part of the development and/or forming part of the S106 agreement to ensure continued efficiency of traffic flows and improve the overall operation of the existing highway.

Statements of Common Ground (SoCG) between BCBC and utility providers (namely, Welsh Water and the National Grid) and with Network Rail have been produced. The SoCG confirm that the respective parties do not consider there to be any major constraints regarding the capability of infrastructure to accommodate the proposed development growth.

15. Is it clear why the Strategic Development Sites were selected over other candidate sites? and is the Plan over reliant on the delivery of these sites?

The Strategic Development Sites have been selected in order to ensure the implementation of the Growth and Spatial Strategy, as set out under para. 4.364 of the LDP: *"The location and scale of these sites present opportunities for significant new development to take place over the plan period to help meet the LDP Vision and Objectives and ensure implementation of the Regeneration and Sustainable Growth Strategy. The combined development of these sites will result in the provision of comprehensive residential, employment and commercial development."*

Notwithstanding this, it is not considered that the Plan is over reliant on the delivery of the Strategic sites. The housing trajectory has factored in appropriate lead in times, and has incorporated a 10% flexibility allowance in any event. Moreover, the sites have been subject to rigorous viability and deliverability testing in collaboration with site promoters:

"All strategic sites key to the delivery of the plan have been subject to greater evidence requirements to support their delivery, including schematic frameworks, phasing details, highway mitigation, critical access requirements, design parameters, s106 requirements, 10 infrastructure and costs. This process provides a high degree of confidence that the sites included within Table 6 are realistically deliverable, considering the full plethora of associated development requirements, infrastructure provision and placemaking principles necessary to deliver high-quality new communities." (para 6.4, Housing Trajectory, Background Paper 4)

All strategic sites, including PLA5, have been evidenced to be entirely deliverable and viable, and their retained allocation is critical to the delivery of the Plan.

17. Will the requirements of the Flood and Water Management Act 2010, in respect of sustainable drainage systems have an impact on the development capacity, viability and/ or deliverability of allocated sites?

With regards to strategic housing allocation PLA5, the masterplans (prepared by the Urbanists) submitted to BCBC through the candidate site process made allowances for SuDS as part of a/the surface water drainage strategy. This therefore confirms that the development capacity of the site will not be impacted, as the requirement for sustainable drainage systems has been considered from the very outset. As a result, there is no impact from drainage requirements on viability and / or deliverability for this site.

