

CABINET MEETING: 12 SEPTEMBER 2013

**CARDIFF LOCAL DEVELOPMENT PLAN 2006-2026: DEPOSIT
PLAN**

REPORT OF CHIEF OPERATING OFFICER

AGENDA ITEM: 1

PORTFOLIO: STRATEGIC PLANNING & TRANSPORT

Reason for this Report

1. To enable the Cabinet to consider the Cardiff Deposit Local Development Plan (LDP), as tabled in Appendix 1 of this report, and recommend its approval by the Council together with recommending that Council approve consulting on the Deposit LDP together with the Final Sustainability Appraisal Report.

Background

2. The LDP provides the strategy and policy framework for the development and conservation of the County for the 20 year period, from 2006 to 2026. It will be used by the Council to guide and control development, providing the local policy basis by which planning applications will be determined in future years.
3. In March 2010, the Council agreed to withdraw the previously prepared LDP in the light of significant issues raised by the Independent Inspectors. The need for a new plan is therefore acute as existing plans are out of date and a new plan is required to respond to compelling evidence to provide new jobs and homes in a sustainable manner. Furthermore, the absence of an up to date plan has undermined the Council's ability to effectively control development in Cardiff as evidenced by appeals recently lost for development in the open countryside and the continuing submission of new greenfield planning applications. The preparation of a sound LDP is the only way to plan for the necessary growth of the city in a manner that avoids negative impacts on its existing qualities and which plans for the future provision of facilities and infrastructure in a comprehensive manner.
4. A new LDP is therefore now being prepared in accordance with the process and timetable set out in the Delivery Agreement which has been approved by the Welsh Government. To date, the following milestones have been passed in strict accordance with the agreed timetable:

- Submission and assessment of candidate sites;
 - Consultation/ Approval of LDP vision and objectives- March 2011;
 - Strategic Options consultation- May/June 2011;
 - Building up a robust evidence base to inform the plan;
 - Undertaking regional collaborative exercise- Winter 2011/12;
 - Consultation on Preferred Strategy following approval by Cabinet in October 2012 – November/December 2012
 - Consultation on Masterplanning principles – March 2013
 - Approval of Masterplanning principles by Cabinet – May 2013
 - Undertaking numerous assessments on proposed plan content
5. Approval of the Deposit Plan will be followed by six weeks formal public consultation between 15 October and 26 November 2013. This will involve Consultee Conferences and a rolling roadshow including the use of the Capital Times and website to publicise details. All comments received will be submitted along with the Deposit Plan and any proposed changes to the Welsh Government for Examination in August 2014.
6. The Deposit Plan contains more detail than the Preferred Strategy in relation to both policies and proposed sites. Importantly, it reflects the significant work undertaken on the masterplanning of new development areas including the Council's requirements relating to transportation solutions and the provision of new community facilities and supporting infrastructure. However, the Deposit LDP is not the end of the LDP process. More work will still need to be undertaken to provide further details to inform the examination process: Detailed site Master Plans will be prepared, further transportation detail will be developed and new Supplementary Planning Guidance will be consulted upon along with other work to address issues as they emerge.

Main changes/updates since Preferred Strategy

7. In accordance with Regulation 15 of the Local Development Plan Regulations, the Council undertook 6 weeks consultation on the Preferred Strategy and the Initial Sustainability Appraisal between 1st November and 14th December 2012. A summary of the main issues raised together with the proposed actions required in response is contained in the Initial Consultation report which is available as a Background Paper to this Report.
8. In response to these comments and on-going evidence base work the following main changes/updates have been made to the Plan from that set out at Preferred Strategy stage:
- (i) Inclusion of a Green Belt for long term protection of land north of the M4 motorway;
 - (ii) Reduction in the overall level of housing growth from 45,400 in the Preferred Strategy to 41,100 dwellings to reflect the findings of independent population forecasting experts Edge Analytics Ltd;
 - (iii) Provision for a flexibility allowance of 10 per cent to ensure the plan can accommodate potentially higher build rates than anticipated, if it

- is demonstrated necessary through annual monitoring in later phases of the Plan period;
- (iv) Reduced overall number of new dwellings proposed on some Strategic Sites responding to issues raised in consultation together with work and dialogue as part of developing the masterplanning framework on potential sites;
 - (v) More detail on the masterplanning framework for Strategic Sites including more detail on transportation solutions, community facilities and infrastructure. Further detail will be provided to inform the LDP examination through the preparation of site specific Master Plans along with other technical material;
 - (vi) Inclusion of Eastern Bay Link as a strategic transport proposal following Welsh Government support for the scheme;
 - (vii) Amending the affordable housing target where there evidence of need to 30% on greenfield sites and 20% on brownfield sites to reflect new evidence and consultation responses relating to the viability of affordable housing schemes;
 - (viii) Allocation of a new Gypsy and Travellers site at Seawall Road; and
 - (ix) Allocation of land for health-related uses adjacent to Heath Hospital and for employment use (research/ higher education-related) at Maindy Park

Deposit Plan

9. The Deposit LDP forms Appendix A of this report and contains:
- The policy framework and the key strategic issues that have informed the Deposit Plan;
 - The Council's vision and objectives;
 - Overall Strategy including Key Diagram and Key Policies for implementing the strategy;
 - Detailed Policies;
 - Monitoring arrangements;
 - Appendices; and Supporting Documents; and
 - Proposals Map and Constraints Map
10. The six points below provide a brief summary of the Deposit LDP strategy:

Growing to meet future needs - Meeting Cardiff's significant future need for jobs and homes by setting out a strategy to deliver 40,000 new jobs and 41,100 dwellings over the plan period. The number of dwellings to be delivered is slightly lower than the Preferred Strategy but this reflects a recent report from independent population forecasting experts who assessed future growth scenarios and recommended to the Council that a lower dwelling growth rate was more appropriate. No changes to the number of jobs being planned for were recommended.

Importantly, this level of growth responds to Cardiff's role as economic driver of the city-region and delivers Wales Spatial Plan objectives, the Council's overall vision and the LDP objectives.

New homes - Providing a range and choice of new housing opportunities with different dwelling sizes, tenures and locations including provision for affordable housing together with providing for Gypsy and Traveller needs. The Deposit Plan also includes ways to provide flexibility should build rates be higher than anticipated.

Over half of the provision (approximately 65%) will be met by brownfield sites from within the existing urban area including homes built since the Plan start date in 2006, those under construction or with planning permission together with new brownfield sites.

However, due to a finite urban capacity, urban sites will need to be complemented greenfield land. Indeed, the withdrawal of the previous LDP was primarily because the independent Inspectors concluded that the proposed 'brownfield only' strategy would not deliver the required number of new homes and due to the delay this has caused, the Plan period is 5 years longer thereby further increasing the contribution of greenfield sites. The Deposit LDP includes approximately 13,450 homes on Strategic Greenfield sites during the Plan period including:

- North East Cardiff, between Lisvane & Pontprennau- Approximately 4,500 homes;
- East of Pontprennau Link Road- Approximately 1,300 homes
- North West Cardiff- Approximately 5,000 homes
- North of Junction 33- Approximately 2,000 homes
- South of Creigiau- Approximately 650 homes

New jobs - Providing a range and choice of new job opportunities on different types of site relating to different types of jobs and protecting existing employment sites which perform an important economic role in the city. Strategic Sites helping to deliver this strategy include the Cardiff Central Enterprise Zone and Regional Transport Hub, land south of St Mellons Business Park together with employment uses forming part of wider Strategic Sites at North East Cardiff, North West Cardiff and North of Junction 33 on the M4.

Masterplanning and sustainable neighbourhoods - Ensuring that new homes and jobs form part of well planned communities which have the timely provision of the right range of facilities built as part of a phased programme. The Deposit LDP sets out a Masterplanning Framework aimed at supporting the orderly development of new development areas. This framework provides the context for more detailed work to follow which will inform the LDP examination process.

The strategy also sets out ways to tackle deprivation and improve the quality of life for residents such as through supporting District Centres, creating healthier environments and enhancing community facilities.

Sustainable transportation solutions- Responding to the challenges associated with new development by setting out an approach aimed at minimising car travel, maximising access by sustainable transportation

and improving connectivity between Cardiff and the wider region. The Plan sets out a strategy to achieve this by making the best use of the current network, reducing demand where possible and widening travel choices. The aim is to secure a modal split of 50% car and 50% non-car modes. This will be achieved by a number of ways including:

- Reducing the need to travel through location and design
- Improvements to public transport
- Park and Ride/Share Schemes
- Provision of high quality walking and cycling infrastructure
- Travel Planning- Widening travel choices to work
- Improving safety and accessibility for all

This approach is fully consistent with on-going work at a city-region scale which seeks to develop a more effective public transport network across the region as a whole, helping people travel from where they live to work and thereby helping to spread prosperity around the entire city-region.

Bringing forward new infrastructure- The Plan sets out an approach which requires the timely provision of new infrastructure including community facilities, transportation and other services. Whilst it is recognised that some significant elements of infrastructure may take many years to complete, the Strategy seeks to ensure that each phase of new development is tied to the provision of necessary infrastructure with each stage of development being able to demonstrate an acceptable level of supporting facilities.

An Infrastructure Plan is contained as a Supporting Document setting out future requirements. Further dialogue and consultation findings will help further develop a detailed list of required infrastructure along with funding opportunities including the roles of Community Infrastructure Levy (CIL) contributions for strategic projects to Section 106 Agreement contributions for local priorities, together with other potential funding streams from the public and private sectors.

Protecting Cardiff's environment- The Deposit LDP has been prepared in a way which minimises impact upon Cardiff's environmental assets. The strategically important ridge to the north of the M4 is designated as a Green Belt and will therefore be protected so it can continue to form a distinctive green backdrop to the city. Importantly, open spaces and river valleys within the urban area are protected. In total, well in excess of 5,500 hectares of countryside and strategic river valleys running through the urban area will be protected from development. Cardiff's rich and diverse heritage assets have also been fully taken into account in preparing the Plan which seeks to protect, manage and enhance these interests to maintain and enhance Cardiff's unique distinctiveness. The masterplanning approach also provides a framework to manage impacts of development on the environment.

LDP Assessment Processes and Supporting Documents

11. The LDP must be subject to Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA) as required by the Planning and Compulsory Purchase Act 2004 and the SEA Regulations. These

are tools to ensure that policies in the LDP reflect sustainable development principles and take into account the significant effects of the plan on the environment. The Council has adopted an integrated approach to the appraisal and assessment in which economic and social issues are considered alongside environmental elements. The **Final Sustainability Appraisal Report** is available as an appendix to this report (Appendix C) and must also be formally consulted on as part of the Deposit LDP consultation process.

12. The Council is also required to undertake a Habitats Regulations Assessment (HRA) of the LDP under Part IVa of the Conservation (Natural Habitats, &c.) (Amendment) (England and Wales) Regulations 2007. The HRA will determine the likely significant effects of the plan on European Sites of nature conservation importance and, if applicable, scope what needs “appropriate assessment” (AA) and how it will be undertaken. A **Habitats Regulations Assessment Screening Report** of the LDP is available as a Supporting Document to the Plan.
13. Furthermore, Health Impact Assessments and Equalities Impact Assessments have also been undertaken to assess potential impacts. Reports from these assessments are also available as Supporting Documents to the Plan.
14. In preparation for the deposit stage, Welsh Government guidance requires the Council to prepare an Initial Consultation Report, identifying the bodies engaged or consulted, the main issues raised and how they have influenced the Deposit LDP, and the steps taken to publicise plan preparation. This Initial Consultation Report (ICR) will contribute to the consultation report required when the Deposit LDP is submitted for independent examination. An **Initial Consultation Report** of the LDP is available as a Supporting Document.
15. Evidence and background papers informing the Deposit LDP will be made available on the Council’s website as Supporting Documents. A full list of these documents is set out in the Contents Section of the Deposit LDP.

Next Stages

16. When Council places the LDP on deposit for public inspection it must advertise this, and notify those identified in the Delivery Agreement (including statutory consultees), allowing six weeks for representations to be made.
17. The scheduled date for the Deposit of the LDP for public inspection is Tuesday 15th October 2013 for a six-week period up to and including Tuesday 26th November 2013. Information in respect of the Consultation Exercise will be made widely available prior to this date but will include a Stakeholder Conference, Consultee Conferences and ‘LDP roadshow’ which will visit different locations in the city. The Capital Times will be used to raise awareness along with Council website alongside formal advertising which will be required.
18. Those making representations on the Deposit LDP will be encouraged to do so on a standard form, setting out clearly any supporting

representation or objection. Feedback will be collated and carefully considered.

19. All representations received by the Council that seek to change the Deposit LDP by adding a new site, or by altering or deleting a proposed site, must be advertised by the authority as soon as reasonably practical after the end of the six-week deposit period, allowing a further six-week period for representations to be made on them. It is proposed that this will be undertaken in March /April 2014 (known as, 'the alternative sites consultation').
20. All representations made will be carefully considered and a report is planned to be taken to Cabinet and Council in May 2014 which will seek authority to formally submit the Deposit LDP together with supporting information for examination along with any 'Focussed Changes' considered necessary. The LDP Regulations state that the Council must consult on any proposed changes it wishes to make to the Plan prior to formal submission for examination which is programmed in the Delivery Agreement to take place at the end of August, 2014.
21. The independent examination is likely to take just over a year with adoption programmed for autumn 2015.

Resources

22. An LDP budget is in place for the present financial year and is considered able to meet the current financial implications of undertaking consultation on the Deposit Plan and Site Allocation Representations and preparing for submission of the Plan against the proposed timetable. Further monitoring will be undertaken to assess expenditure against budget as the LDP progresses and the LDP budget for future financial years will need to reflect resources required to enable progression in accordance with the Delivery Agreement.

Scrutiny

23. A Joint Scrutiny Committee Task and Finish Inquiry Group reporting to Policy, Review and Performance Committee (PRAP) has been set up to consider the Deposit LDP. The group will reconvene in October to complete the Inquiry. The findings of this inquiry will report to PRAP on 29 October 2013 and be presented to Cabinet on 7 November 2013, which will feed in within the timescale of the public consultation.

Reasons for Recommendations

24. To enable the Council to approve a Deposit LDP and supporting documents for consultation in accordance with Regulation 18 of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005.

Legal Implications

25. The Local Development Plan has to be prepared in accordance with the Town and Country Planning (Local Development Plan) Regulations 2005. The process and the documents required under those Regulations are discussed within the body of the Report. Proper account of those Regulations must be taken at each stage so as to avoid the risk of challenge to the Council's process.

Financial Implications

26. The anticipated costs associated with the LDP in the current financial year can be met from within existing budgets. This includes consultation on the Deposit Plan and Site Allocation Representations and preparation for submission of the plan against the proposed timetable. Monitoring will be undertaken to assess the resources required in 2014/15 and future years and this will need to be considered as part of the Council's budget process and medium term financial plan.

RECOMMENDATION

Cabinet is recommended to approve, for consultation purposes, the Deposit LDP, together with the supporting documents (as set out in Appendix A and B) and the Final Sustainability Appraisal Report (as set out in Appendix C) for consideration by Council in accordance with LDP Regulations

ANDREW KERR
CHIEF OPERATING OFFICER

The following Appendices are attached:

- Appendix A: Cardiff Local Development Plan 2006-2026: Deposit Plan
Appendix B: Appendices to Cardiff Local Development Plan 2006-2026:
Deposit Plan
Appendix C: Final Sustainability Appraisal Report

The following Background Papers have been taken into account:

Background Technical Papers and Assessments

- Cardiff Deposit Local Development Plan 2006-2026 Background Technical Paper No. 1 Population and Housing – September 2013
- Cardiff Deposit Local Development Plan 2006-2026 Background Technical Paper No. 2 Urban Capacity Study – September 2013
- Cardiff Deposit Local Development Plan 2006-2026 Background Technical Paper No. 3 Green Belt – September 2013
- Cardiff Deposit Local Development Plan 2006-2026 Background Technical Paper No. 4 Economic – September 2013
- Cardiff Deposit Local Development Plan 2006-2026 Background Technical Paper No. 5 Transportation – September 2013

- Cardiff Deposit Local Development Plan 2006-2026 Background Technical Paper No. 6 Infrastructure Plan – September 2013
- Cardiff Deposit Local Development Plan 2006-2026 Background Technical Paper No. 7 District and Local Centres
- Cardiff Deposit Local Development Plan 2006-2026 Background Technical Paper No. 8 City Centre Protected Shopping Frontage Assessment – September 2013
- Cardiff Deposit Local Development Plan 2006-2026 Background Technical Paper No. 9 Minerals – September 2013
- Cardiff Deposit Local Development Plan 2006-2026 Background Technical Paper No. 10 Waste – September 2013
- Cardiff Deposit Local Development Plan 2006-2026 Habitat Regulations Assessment Report
- Cardiff Deposit Local Development Plan 2006-2026 Health Impact Assessment Report – September 2013
- Cardiff Deposit Local Development Plan 2006-2026 Equalities Impact Assessment Report – September 2013
- Cardiff Deposit Local Development Plan 2006-2026 Initial Consultation Report – September 2013
- Cardiff Deposit Local Development Plan 2006-2026 Masterplanning Framework – General Principles, Strategic Framework & Site Specific Frameworks for larger sites – September 2013
- Cardiff Deposit Local Development Plan 2006-2026 Summary of cross-boundary working – September 2013

Evidence Base Studies

- Edge Analytics Report on Population & Household Forecasts
- Local housing Market Assessment
- Affordable Housing Viability Assessment
- Gypsy & Traveller Study Needs Assessment
- Gypsy and Traveller Study Sites Assessment
- Strategic Flood Consequences Assessment
- Landscape Study Supporting Documents: Review of Landscape Character Areas (February 2008), Review of Special Landscape Areas (August 2008)
- Renewable Energy Assessment