

EXAMINATION of the Merthyr Tydfil Replacement Local Development Plan

www.merthyr.gov.uk/ldpexamination

Inspector: PAUL SELBY BEng (Hons) MSc MRTPI

Programme Officer: TRACEY SMITH

T: 07753 414078

E: tracey.smith@merthyr.gov.uk

Postal address: F.A.O LDP Programme Officer, Unit 5,
Triangle Business Park, Pentrebach, Merthyr Tydfil
CF48 4TQ

John Raine
Planning Policy Group Leader
Merthyr Tydfil County Borough Council

Our Ref: PS/TS

25 April 2019

Dear Mr Raine

Local Development Plan examination: Initial questions to the Council

Following submission of your Replacement Local Development Plan (LDP) I have completed an initial appraisal of the submitted LDP and its evidence base. To assist the examination I seek some further information from the Council in relation to the matters outlined in this letter.

These matters concern the soundness of the LDP and the Council should therefore respond in a considered manner. If any of the information I seek has already been set out in the submitted documents, please signpost these rather than duplicate the information.

Infrastructure schedule

Page 48 of the LDP Manual Edition 2 indicates that relevant supporting evidence includes information on "the capacity of physical and social infrastructure [and] the ability to fund infrastructure and links between S.106 and CIL". To inform the examination process please submit a single infrastructure schedule identifying:

- Necessary infrastructure (on- or off-site) without which the development of allocated sites within the plan period could not proceed as anticipated in the LDP, plus
- Any other infrastructure items identified or safeguarded in the plan.

For each infrastructure item the following should be identified in the schedule:

- Indicative costs and funding sources (including realistic assumptions regarding contributions from the Community Infrastructure Levy (CIL) or planning obligations);
- Parties responsible for delivery and how the infrastructure element relates to their priorities, schedules and plans; and
- Likely timescales for implementation (if known).

Sustainable Drainage Systems (SUDS) viability and deliverability

From 7 January 2019 SUDS became mandatory for developments of more than 1 dwelling or where the construction area is 100m². I seek:

- Information about whether SUDS requirements have been considered in assessments of the plan's viability/deliverability, and if so, how (e.g. via density/capacity assumptions for allocated sites and/or inputs to the viability analysis); and
- How proposed policies seeking or promoting SUDS would work alongside the new SUDS approval regime (or whether certain policies may need to be adjusted to account for it).

Equalities impacts

Although the Sustainability Appraisal (SA) Report assesses equalities impacts (e.g. via SA objective 4) it does not set out how the three aims of the Public Sector Equality Duty (PSED) have been integrated into the plan-making process or how the Plan might affect persons or groups with protected characteristics under the Equality Act 2010.

Paragraph 9.8 of the SA Report indicates that an Equalities Impact Assessment may have been completed. A copy of this and/or a brief paper demonstrating how the Council has sought to meet the Equality Duty during the plan's production should be submitted.

Constraints Map and Proposals Map

Paragraph 6.37 of the submitted Review Report notes that a separate Constraints Map accompanying the LDP would allow it to be updated as needed. However, paragraph 1.11 of the Replacement LDP indicates that the submitted Constraints Map forms part of the Plan. The outcome sought in the Review Report could not therefore be achieved.

Paragraph 2.4.1 of the LDP Manual states: "A Constraints Map...is not a statutory requirement and is not part of the LDP." Because of this advice and the conclusions of the Review Report the Council should consider whether the Constraints Map should accompany the LDP rather than form part of it. You should also ensure that LDP policy designations are included on the Proposals Map and that spatial delineations determined via other mechanisms or legislation are left to the Constraints Map. In your response please indicate how the Council intends to proceed in respect of this matter.

Other matters

I also seek the following:

- Confirmation that the extent of flood zones shown on the Development Advice Maps accompanying Technical Advice Note 15 'Development and Flood Risk' have not changed in relation to allocated sites since June 2018.
- The intended timescale for submitting the Hoover Strategic Regeneration Area concept plan for inclusion in the LDP.
- A copy of the 'Cwm Taf Local Wellbeing Plan', which the plan refers to, but does not appear to have been submitted.

Additionally, I would encourage the Council to seek to engage with Welsh Government officials in relation to any outstanding areas of dispute concerning the plan's renewable energy and minerals policies (as amended by Focussed Changes FC30, FC32 and FCM32). It may be that further engagement leading to a brief Statement of Common Ground (SoCG) may reduce or obviate the need for further written or oral evidence on these matters. If the Council intends to instigate a SoCG on these or any other matters please inform me in your response.

You should submit this further information as soon as it is available, and no later than **9 May 2019** (NB this date does not apply to any SoCG which should be submitted by 11 June). If you are unable to meet this deadline in respect of any matters please let me know via the Programme Officer.

Sincerely

Paul Selby

Planning Inspector

Cc Plans Branch, Planning Directorate, Welsh Government