



Democratic Service
Council Offices
CAERNARFON
Gwynedd
LL55 1SH

JOINT LOCAL DEVELOPMENT PLAN PANEL

Minutes of the meeting of the Panel held on **30 July 2015**
Glyder Fawr Meeting Room, Caernarfon

Present:

Gwynedd Council

Cllr Gwen Griffith
Cllr Dyfrig Jones
Cllr Dafydd Meurig
Cllr John Wyn Williams
Cllr Owain Williams

Isle of Anglesey County Council

Cllr Lewis Davies
Cllr Victor Hughes

Officers:

Gareth Jones	Senior Manager, Planning Service, Environment and Public Protection (Temporary) (GC)
Nia Davies	Manager - JPPU
Linda Lee	Team Leader (Temporary) – JPPU
Rhodri Owen	Senior Planning Officer (Policy)– JPPU
Bob Thomas	Team Leader - JPPU

Apologies:

Cllr John Arwel Roberts
Cllr Richard Dew
Cllr Ann Griffith
Cllr John Pughe Roberts
Cllr John Brynmor Hughes

1) APOLOGIES

As noted above.

Councillor Dafydd Meurig noted that he would need to leave the meeting at around 3.15pm to attend a Gwynedd Council Cabinet meeting. It was nominated and seconded that Councillor John Wyn Williams would chair the remainder of the meeting.

2) DECLARATION OF PERSONAL INTEREST

Bob Thomas noted that a family member had a house in one of the new proposed clusters (Llanddaniel North group) and therefore the Unit Manager had prepared this section of the report relating to Clusters (item 6).

Councillor Lewis Davies stated that he owned a building within one of the proposed clusters in policy TAI18 and that this needed to be noted. It was confirmed that this cluster had been included in policy TAI 18 of the Deposit plan and would not be discussed as an additional Cluster within the report before today's Panel (item 6).

3) URGENT ITEMS

No urgent matter was submitted.

4) MINUTES

It was confirmed that the minutes of the Panel held on 26 June 2015 were correct.

5) THE JOINT LOCAL DEVELOPMENT PLAN – GUIDELINES FOR RESPONDING TO THE REPRESENTATIONS

At the Panel's meeting on 26 June 2015, the Members asked for training in order to improve their understanding of the Planning Inspectorate's expectations before making decisions on how the Plan should address the matters raised in the representations.

Following a discussion with the Chair of the Panel, Iwan Evans, a planning consultant, had been appointed to prepare a paper and a presentation for the Panel.

Iwan Evans gave a presentation on the process of preparing the Plan up to the Deposit Plan stage, the next steps and examples of the issues that had arisen for other authorities.

He emphasised:

- that the councils had submitted a robust plan in the Deposit Plan stage;
- the importance of discussions with statutory consultees e.g. Welsh Government, if it had objected to aspects of the Plan;
- changes should only be made if there was a genuine need for them;
- the evidence used to back up any representations made by objectors had to be considered, as well as how it stood against any evidence the Council had in determining the type of change needed, if at all;
- the need to consider the potential cumulative impact of undertaking Focused Changes to parts of the Plan i.e. a Focused Change could involve changing other parts of the Plan that would alter the heart of the Plan (a Fundamental Change).

He explained the difference between Minor Changes, Focused Changes and Fundamental Changes to the Plan. In the examples from different councils, the impact of undertaking fundamental changes or not following the evidence base was described, along with the risk/cost of taking a couple of steps back in the process.

Points raised:

1. To what extent did changes go from a focused change to a fundamental change e.g. 1 site out of 100, or 30 sites out of a 100, being changed?
2. What was the definition of 'soundness'?
3. Needed to consider the language cost that could arise from the plan's high growth level – it was believed that many were concerned about the increase.
4. Some of the objections raised matters in relation to the evidence base – was it right for the Council to update or bring together a further evidence base?
5. Would the Inspector look at specific local matters in the Inquiry?

Responses:

1. It depended on the evidence base, Conwy had added 1 housing site as a Focused Change and it was believed that this had happened due to more recent evidence that had become available about the viability of a site that was included in the Deposit Plan. However, changing 30 sites would question the soundness of the Deposit Plan and would lead to the risk of having to undertake a second consultation on the Deposit Plan.
2. The Inspector would not go after minor points such as a better vocabulary; rather, he/she would look at whether the Plan had a sound evidence base - whether there was a clear link between the evidence and the contents of the Plan.
3. The area's linguistic and cultural background was part of the Plan's Strategy.
4. It was appropriate for the Council to consider any new evidence base and/or to better explain its present evidence base or strengthen it. There was always a risk of being overwhelmed by pieces of evidence and responding to a public consultation could give the Council the opportunity to improve how it presented its evidence.
5. If no evidence was submitted to support a specific case, no weight would be given to that particular matter. If sound evidence was submitted and many people possibly submitted representations on a specific matter, it could then be considered in greater detail.
6. It was agreed that it would be useful to include a note on the guidance received by Iwan Evans with every agenda submitted to the Panel, in order to keep the messages relevant.

6) REPRESENTATIONS RELATING TO CLUSTERS IN THE DEPOSIT PLAN

A presentation was given by Bob Thomas which focused on the two main matters that had arisen from the public consultation namely the representations of Welsh Government which had questioned the number of Clusters and objections that had proposed the inclusion of additional clusters.

For the Welsh Government's representations, the Unit recommended strengthening the evidence base in Topic Paper 5 in order to submit greater justification for retaining this tier of settlements in the Plan. The Unit did not agree with the majority of objections from individuals who proposed new clusters as they did not meet the criteria for creating a cohesive group and as they had not submitted alternative evidence that would satisfy national planning policy requirements.

Points raised:

1. Some of these clusters such as Rhostrehwfa were large and had pavements and street lighting.
2. Most of the Clusters in the tier had been identified as Rural villages in the Gwynedd UDP, but included additional ones also?
3. It was important that the Council considered the impact of any cuts to bus services on the role of these clusters in the Plan. It was important that decisions that were being made now by both

Councils did not undermine the long term objectives. The Council's work in its entirety should be considered, rather than separate specific fields.

4. The school reorganisation programme meant that settlements without schools should not have too many affordable homes.
5. Were we confident that we had sound evidence?
6. Did gathering a language evidence base for the Clusters mean that a house could be justified for Welsh-speakers in the cluster if the nearby service centre had a lower level of Welsh?

Responses:

1. Accepted that they did vary in size but the Plan's methodology was to distribute settlements on the grounds of their facilities in order to ensure sustainable development was promoted in its truest meaning.
2. There had been a change in terms of which settlements belonged to this tier since preparing the Gwynedd UDP. A cluster was required to be a cohesive group of ten or more houses and there had to be a public transport connection with a higher centre within the settlements tier.
3. The observation was noted.
4. The observation was noted – however; there was a need to maintain a mixed community and there was a need to provide opportunities for affordable housing for local people in the Clusters, despite there being no schools there.
5. The Council had set out its evidence and none of those who submitted an observation to add another group had challenged the methodology.
6. As it was not possible to differentiate between property occupiers on a linguistic basis, this was not possible. Rather, this was work to respond to the representations of Welsh Government to the Clusters in the Preferred Strategy where it asked a question regarding the linguistic impact of growth in this tier of settlements.

7) REPRESENTATIONS RELATING TO POLICY TAI 5 (LOCAL MARKET HOUSING) IN THE DEPOSIT PLAN

A presentation was given by Rhodri Owen which focused on the four main matters that had arisen from the public consultation, namely:

- suitability / the need for the policy;
- supported the principle of the policy but wanted it extended to apply to a broader area;
- questioned the use of 106 agreements to restrict housing to those who were eligible; and
- the method of selecting the relevant settlements for the policy.

It was recommended that a meeting should be held with Welsh Government to further discuss its objection. It was suggested that Topic Paper 17 should be amended if the assessment of the sub-areas, e.g. the Borth y Gest area, highlighted new information and to note more clearly the difference between this policy and policies for affordable housing. The Unit would discuss viability matters with local estate agents and the contents of 106 agreements with the Legal departments of both Councils.

Points raised:

1. Disagreement that problems with the policy and/or 106 agreements should be explored and weakened as it was potential developers who had objected to these elements of the Policy. Rather, it was suggested that options should be discussed with Housing Associations and how they would be able to help local people to get housing, e.g. shared ownership or undertaking initial work on the site. There was also an opportunity to be more specific about what was needed – the priority was not clear.
2. Would the Government's policy giving Housing Association tenants the right to buy affect the Policy?
3. This was a very important policy, had anyone else in Wales introduced this?

Responses:

1. Agreed to look into using a separate mechanism for 106 agreements, e.g. planning conditions, and holding discussions with Housing Associations. Reference was made to a recent appeal decision in the Lake District where the Inspector had refused to approve an application to delete a planning condition which restricted the occupancy of the house to local people.
2. This right to buy policy was not relevant in Wales.
3. The Brecon Beacons had tried to introduce it, but it had failed to gather an evidence base to support it. It was important not to add any areas without having supporting evidence and to avoid the risk of weakening the policy.

DATE AND LOCATION OF NEXT MEETING

Next meeting was to be held on 25 September 2015, exact location to be confirmed, Caernarfon.