



Nia Davies
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Our ref:
Your ref:

13th April 2016

Dear Nia,

Gwynedd and Ynys Mon's joint Local Development Plan – Consultation on the Schedule of Focussed Changes

Thank you for your letter of 23rd February 2016 notifying the Welsh Government of Gwynedd and Ynys Mon's Council's Schedule of Proposed Focussed Changes consultation.

The matter of whether a plan is considered 'sound' will be for the appointed Planning Inspector to determine. The proposed Focussed Changes have been considered in the light of the representations made to the Deposit Plan on 31 March 2015 and in accordance with the tests of soundness.

The attached **Annex** provides a detailed response on whether the Schedule of Proposed Focussed Changes meets the matters raised in our deposit representations, in addition to those changes that were not part of the Deposit Plan. Further to the above, we consider **the focussed changes are silent** in respect of a number of key issues that were raised within our deposit representation. The annex sets out where and why our objections are still maintained.

I wish to draw your attention specifically to:

- **Safeguarding and allocating land for employment purposes**
- **Infrastructure and Wylfa project associated development**
- **Housing: specifically vacancy rates; delivery trajectory; and phasing**
- **Gypsy and Traveller Provision – suitability and deliverability to meet need**
- **Renewable Energy – does not transcribe national policy**

In addition, we have further representations where the approach requires clarification in light of national policy and/or limited supporting evidence base.

- Affordable housing – contribution from commitments and allocations
- Landscape assessment
- Welsh Language – conformity with national policy
- Monitoring framework

It is considered that it may be possible for the above matters to be addressed and explained as part of the hearing sessions or as Matters Arising Changes (MACs) if deemed necessary by the Inspector.

Yours sincerely,

Mark Newey
Head of Plans Branch
Planning Directorate

Annex

FC No.	Welsh Government Comment
Employment Provision and Distribution	
NF46 NF47	<p data-bbox="293 318 1422 356"><u>Policy CYF1: Safeguarding and Allocating Land and Units for Employment Use</u></p> <p data-bbox="293 394 1461 647">The WG supports the principle of NF46 and NF47, which clarifies the employment land totals on safeguarded and allocated employment sites in Policy PS10 and Policy CYF1. The authorities have an identified need for 180ha of employment land; of which 60ha will be met on new allocations and the remaining 120ha on safeguarded sites. The authorities should clarify if the safeguarded sites listed in Policy CYF1 were designated to meet a previous need and the implication on delivery in the current plan period.</p> <p data-bbox="293 685 1418 940">With a vacancy rate on safeguarded employment sites totalling 280ha in Policy CFY1, it is unclear why the plan need of 180ha has not been met on the safeguarded sites. The authorities should explain the suitability of safeguarded sites to accommodate identified need and how their development will accord with the spatial strategy. It is imperative sites that employment sites can be delivered to meet the plans objective for economic growth.</p> <p data-bbox="293 978 1477 1196">In Policy CYF1 (as amended by NF47), the vacant land area on safeguarded and allocated employment sites total 340ha. By deducting the identified need for 180ha, the plan has an over-provision of 160ha of employment land. The authorities should explain how this substantial over-provision will not have negative implications for land values nor confuse the market and jeopardise growth aspirations.</p> <p data-bbox="293 1234 1481 1382">Several 'strategic regional employment sites' totalling 230ha are identified for development in Policy CFY1. It is unclear if competition from similar energy related uses will impact on site delivery and the authorities should explain how all 'strategic regional employment sites' can be delivered in the plan period.</p> <p data-bbox="293 1420 1485 1749">To reflect the status of Anglesey being designated an Enterprise Zone, the WG is supportive of the greater emphasis for economic growth and higher employment land totals on the island. NF47 amends Policy CFY1 to identify employment sites by strategy area in Anglesey, with over 190ha in Urban Service Centres but none in the Villages. The authorities should explain the disproportionate approach to employment land in Anglesey and how it aligns with the spatial strategy and plan objective to maximise job opportunities for new homes in the Villages. It would be useful to understand how the sequential approach in TAN 23 has influenced site selection, particularly in Anglesey.</p>
Delivery and Implementation	
NF17 NF18	<p data-bbox="293 1825 1075 1863"><u>Policy PS2: Infrastructure and Developer Contributions</u></p> <p data-bbox="293 1901 1477 2114">The WG welcomes the clarity on the S106 and CIL process in NF17 and NF18, but maintains its concern on the delivery and viability of plan allocations. Whilst Topic Paper 13 Community Infrastructure provides a useful context on infrastructure requirements, there is a lack of evidence on site-by-site infrastructure requirements, costing's, funding mechanisms, delivery bodies and timescales for implementation. The Councils should explain in the absence of</p>

<p>NF45 NF24</p>	<p>this evidence, how allocated sites will be delivered and how this will not adversely impact on viability and the phasing of housing sites.</p> <p>To secure the necessary infrastructure, the Council should be certain that without a CIL charge in place and an inability to ‘pool’ future S106 agreements (beyond 5 per specific infrastructure item), the delivery of sites and key infrastructure will not be inhibited.</p> <p><u>Policy PS9: Wylfa Newydd Project Associated Development</u></p> <p>Paragraph 7.3.19 as amended by NF45, highlights the significant employment opportunities at Wylfa Newydd, Menai Science Park and the spin-off opportunities from associated infrastructure projects and new businesses. The authorities should clarify the total number of jobs proposed over the plan period and explain how this aligns to the delivery and phasing of new housing allocations. The timing and delivery of sites in the plan is inextricably linked to the decision to invest in Wylfa. It would be useful for the authorities to explain the impact on job numbers and the effect on housing delivery if the proposal at Wylfa Newydd did not come forward over the plan period.</p> <p>In the absence of site-specific infrastructure requirements at Wylfa Newydd, the deletion of associated transport schemes in NF24 and a lack of evidence on costings and timescales, the delivery at Wylfa is unclear. The Councils should identify the infrastructure requirements to support Wylfa Newydd and provide reassurance on its funding and delivery during the plan period.</p>
<p>Settlement Strategy</p>	
<p>NF28</p>	<p><u>Policy PS5: Sustainable Development</u></p> <p>The WG maintains its objection to Policy PS5 as currently worded by NF28, which seeks “greater self-containment” in the Centres and Villages. The authorities should clarify how this approach impacts on development in the Centres and why it isn’t more appropriate in the less sustainable Villages.</p>
<p>Housing</p>	
<p>NF13</p>	<p>The proposed focussed change includes a reference to the household to dwelling conversion vacancy rate. However, it is not clear from the Councils own evidence what the vacancy rate is. For example, the Edge Analytics papers states that vacancy rates for Gwynedd & Anglesey are 12.2% and 10.5% respectively. However, the conversion rates utilised in the DC.017/DC.018 are 16.5% and 11.9%? It would aid the clarity of the plan if the vacancy rate was stated in the plan, including an explanation as to why the rate is appropriate for local circumstances.</p>
<p>NF59</p>	<p>The proposed focussed change introduces a link from the plan to a new housing trajectory. (Housing Trajectory, PT.033, February 2015). The Welsh Government supports the additional work undertaken by the Council which numerically demonstrates a 5 year supply from examination. However, the Welsh Government considers that the trajectory has some short-comings. It is unclear from the trajectory, the interrelationship of all the components of supply over the plan period and their relationship to maintaining a five year supply. Appendix 2 only summarises them in one column. It is also unclear as to how the flexibility allowance relates to the trajectory. It is unclear whether the 10% is sufficient, to deal with issues of under delivery at key ‘pinch points’ in the trajectory. This will be a matter for the LPA to demonstrate.</p>

	<p>The trajectory flags up that there has been under delivery in the early years of the plan and there would need to be a significant step increase in build rates to deliver the strategy and level of provision required. It will be for the authority to demonstrate that it can deliver the necessary rates and maintain a 5 year supply. However, given the challenging build rate as highlighted from the trajectory this could negate the justification for 'new Policy TAI X' in respect of phasing restrictions.</p>
NF61	<p>It is unclear what is meant by the proposed insertion of 'community capacity'.</p>
NF62	<p>The proposed focussed change includes a new policy that appears to restrict and control all housing allocations and windfall development over the plan period. We object on the basis that the rationale for controlling the phasing of allocations and windfalls sites is not clearly justified. Attaining the higher build rates will only be feasible if the larger sites come forward as phased. It is vital that the monitoring framework identifies any significant shortfalls and is sufficiently robust to ensure the strategy is delivered. PPW (paragraph 2.5) advocates that phasing strategies should be flexible to allow for choice and to ensure that housing markets are effective. It states that phasing policies in the plan should only give a broad indication of the timescales for the release of the main development areas or identified sites, rather than an arbitrary numerical limit on permissions, or a precise order of release of sites in particular periods. On this basis we consider the proposed policy does not comply with national policy. It would not be appropriate to delay sites that are not constrained or integral to the delivery of key infrastructure in the plan where there is a high level of demand for private and affordable homes. Such an approach would compound the problems of housing land supply.</p>
NF67	<p>The WG Deposit response requested clarification on the target of 1,415 affordable units. It was unclear what the contribution to meeting these targets would be from current commitments, allocations and other potential sources of provision.</p> <p>The Welsh Government considers that the proposed FC adds clarity to the plan. However, the clarity and understanding of the plan would be further improved if a similar table was included to support the overarching housing Policy PS13. At present there is no single summary table setting out the various components of supply, in relation to the housing provision.</p>
<p>Gypsy and Traveller Provision</p>	
NF 70	<p>Whilst the Welsh Government is supportive of the updated evidence base provided in the Gypsy and Traveller Accommodation Needs Assessment 2015, this is subject to scrutiny by the Welsh Government's Fairer Futures Division and Ministerial approval (anticipated Summer 2016). The authorities should make this assessment available as it forms part of the LDP's evidence base.</p> <p>The plan is still failing to meet its statutory duties under the Housing (Wales) Act 2015 (Section 103) to make sufficient provision to meet the immediate level of identified need from 2015 to 2020 for permanent pitches (shortfall of 4 pitches). In the absence of the updated study, it is also unclear as to whether temporary stopping places (requirement for 3 sites) are the appropriate solution in relation to transit pitch needs for the area. In essence there is a lack of detail on the number of pitches required and the timescale for their delivery.</p> <p>The plan is also required to quantify and meet the level of need over the whole plan period (up to 2026) in line with the requirements of the Welsh</p>

	Government's Circular 30/2007, paragraph 17. At present the plan does not do this.
NF 71	<u>Policy TAI11: Safeguarding Existing Gypsy & Traveller Sites</u> The wording in Policy TAI 11 should be broadened to cover both Gypsies <u>and Travellers</u> to accord with the wording in Policy TAI 12.
NF 72	<u>Policy TAI 12: Gypsy and Traveller Site Allocations</u> We support the change in the policy wording which covers 'Gypsy and Traveller use'. The authorities should consider making a corresponding change in the table, in the 'occupants' column to widen the scope to include both Gypsies and Travellers, in order to be consistent with the policy wording.
NF 73	Paragraph 7.4.99: We do not object to the amendment made by the authority in relation to the number of pitches and caravans. Our objection remains in relation to the restriction for the stopping site to not be occupied by Gypsies or Travellers for more than 5 days which we consider to be overly restrictive. The authority should clarify whether this time restriction is required by legislation.
NF 74	<u>TAI13: Sites for Gypsies and Traveller Pitches</u> The scope of the criteria based policy should extend from 'permanent' sites and 'extensions to existing authorised sites' to apply to all Gypsy and Traveller proposals and include transit sites. The amendment to criterion 4 is supported and our objection is withdrawn. For additional clarity and to accord with national policy, criterion 4 should be more specific and amend 'high risk of flooding' to specify that no highly vulnerable development should be within zone C2. Criterion 6 partially satisfies our objection, however the wording should clearly state that the Welsh Government's Designing Gypsy and Traveller Sites guidance applies to Local Authority sites, with private sites being regulated under the Mobile Homes (Wales) Act 2013. The amendment to criterion 9 satisfies our concern.
NF 75	Paragraph 7.4.104: The amendments to paragraphs 7.4.104 and 7.4.105 are supported and satisfy our objection.
Affordable Housing	
NF68	The Welsh Government supports this FC. This FC introduces changes to TAI 9 to clarify the provision of affordable dwellings where the contribution would be less than one unit; and the process for involving external advice where agreement cannot be reached on viability issues. However, the Welsh Government objects to the omission of the following. As raised

	in our Deposit response, given the evidence identifies areas of strong viability, policy TAI 9 should include text to explain that contributions higher than the specified targets may be sought where supported by evidence. Policy TAI 9 should more explicitly state that, in accordance with PPW 9.2.19, the authorities will seek to negotiate with developers when affordable housing is being sought.
NF69	<p>The Welsh Government supports the focussed change, however the Council will need to ensure that the monitoring framework is amended to record and capture the necessary data.</p> <p>However, the Welsh Government objects to the omission of the following. As raised in our Deposit response, the supporting text to TAI 9 should explain that the range/type/mix of affordable housing can have financial implications for the delivery of housing on site. The percentage sought could be higher/lower to reflect this. Acknowledging this and providing a context for future discussions would strengthen the policy approach.</p>
Natural and Built Environment	
NF35	Focussed change NF35: it is not a specific requirement of national policy to apply SLA policy when considering the impact of development proposals outside SLAs this is not the approach reflected in policies MG1 (located directly outside) and ADN1 (the setting of the AONB and SLA). In essence, the Welsh Government does not think it is appropriate to apply a buffer to SLA designations.
Welsh Language	
NF15	Criteria a) and b) should be reworded to ensure that they are TAN20 compliant. The criteria should not apply to windfalls that have been assessed as part of the plan, including SEA/SA and are within defined settlements boundaries. The current wording, as written, would apply to all windfalls. Furthermore, the wording should relate to dwellings, not people, 'significant' should be defined, 'attract' should be deleted.
NF16	Refers to 'rate' of development. Where is this specified? Presumably by site and/or overall, linked to a trajectory? What 'information' is being sought through a WLIA?
Infrastructure	
NF20	Delete 'Topic Paper 13 on Community Infrastructure differentiates between essential and preferred infrastructure.' The tests for s106 are set out in legislation and reflected in paragraph 7.1.9a (NF17) which describes them necessary, directly related and fair/reasonable. It is unclear as to how essential and preferred infrastructure aligns with the tests.
NF18	Support. Adds clarity to the plan in terms of how infrastructure requirements will be prioritised and the role of S106 and CIL.
Renewable Energy	
NF33	The additional text duplicates the Ministerial Letter 'Renewable Energy' September 2015 and adds nothing to the plan. The outcome of the solar assessment should be included in the plan, now.
NF34	'Housing used by visitors on holiday' falls within the same use class as C3 residential. It is unclear as to why the additional text is necessary.
Visitor Economy	
NF52	The purpose, applicability and implementation of this proposed FC is impenetrable

	and appears to delve into non planning matters. In addition, there is text which appears to be policy requirements i.e. a market appraisal. This FC needs rewording.
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