



Ein cyf: Our ref: qA1031018

David Williams  
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11<sup>th</sup> February 2019

Dear David,

**Wrexham County Borough Council – Proposed Focussed and Minor Editing Changes Consultation: Welsh Government Response**

Thank you for consulting the Welsh Government regarding Wrexham's Local Development (LDP) 1<sup>st</sup> Revision proposed Focussed and Minor Changes.

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 light of the representations made to the Deposit Plan on 17 May 2018, 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. The **annex** sets out where and why our objections are still maintained and, if the Inspector deems it appropriate, they can be addressed, amended, or clarified through the hearings sessions.

Since the Deposit Plan consultation Planning Policy Wales (PPW) Edition 10 has been published. The authority will need to consider if there are any implications for the plan. **In addition, the Focussed Changes do not address many of Welsh Government's Deposit Representations relating to delivery and implementation, clarity of housing supply and affordable housing viability.** Welsh Government Officials will continue to work with Council Officers to try and resolve any outstanding issues prior to the examination.

Without prejudice to the Minister's powers to intervene later in the process and the independent examination, the Welsh Government is committed to helping Local Planning Authorities throughout the LDP process.

Yours sincerely,



**Mark Newey**  
**Head of Plans Branch**  
**Planning Directorate**

## Annex: Wrexham Local Development Plan - Proposed Focussed Changes Consultation: Welsh Government Response

Focussed Change Number	Welsh Government (WG) Comments
<b>Chapter 5: Strategy &amp; Strategic Policy</b>	
<p>FC01</p> <p><b><u>Objection partially maintained</u></b></p>	<p><b><u>Policy SP1: Housing Provision</u></b></p> <p>The FC introduces an affordable housing target of 1319 homes into the policy which is required to align with PPW (4.2.5) and Technical Advice Note 2 (3.2). This change is supported and addresses the WG Deposit Plan Objection in this respect (WG Rep, Cat C, page 5).</p> <p>However, the WG would welcome clarification on how the affordable housing target has been calculated. A table setting out the anticipated affordable housing contributions by settlement tier and housing component would be helpful, aid clarity to the plan and ensure effective monitoring (WG Rep, Cat C, page 5).</p>
<b>Chapter 6: Topic, Criteria and Area Based Policies</b>	
<p>FC17</p> <p><b><u>Objection maintained</u></b></p>          <p>FC18</p> <p><b><u>Objection addressed</u></b></p>	<p><b><u>Policy H4:Gypsy and Travellers Sites &amp; Reasoned Justification</u></b></p> <p>We note the level and type of need to reflect recent planning permissions has been clarified and revised through the proposed changes. The revised level of need is 21 pitches over the plan period, of which 2 pitches are immediate by 2020. The three allocated sites make provision for 19 pitches. The authority will need to confirm how and when the remaining two pitches will be delivered. We note the plan still retains a reference to ongoing discussions regarding private sites. The plan will need to make appropriate provision for the need identified. In relation to site suitability and deliverability, the Council will need to ensure that a site to accommodate the immediate need can be delivered by 2020. In respect of the remaining allocations, the site issues set out in the Site Selection Paper need to be reconciled to deliver the necessary pitches by 2028. (PPW 4.2.35, Circular 005/2018, para 35) (See WG Rep. Cat C, page 5)</p> <p><b><u>Policy H5: Gypsy and Traveller Accommodation</u></b></p> <p>The proposed focussed change removes criterion (i) which is supported, as it is contrary to national policy and satisfies our objection in this respect (See WG Rep, Cat C, page 6)</p>

<p>FC19</p> <p><b><u>Objection addressed</u></b></p>	<p><b><u>Policy H6: Houses in Multiple Occupation</u></b></p> <p>The WG Deposit Rep (Cat C, page 6) stated the policy would be strengthened if a criterion was included defining what is meant by “over concentration” and where spatially this would apply in order for the policy to be effective and implementable in practice. The proposed FC now introduces a threshold, radial and ‘sandwiching’ approach. It is for the LPA to justify this approach based on evidence and ensure that it will deliver on the aims of the policy and can be implemented in practice. The WG has no further comments on this matter.</p>
<p>FC17 (<b><u>objection addressed</u></b>)</p> <p>FC28 Part 1 - (<b><u>new objection</u></b>)</p> <p>FC28 Part 2- (<b><u>Objection partially addressed.</u></b>)</p> <p>FC12 - (<b><u>partially support</u></b>)</p>	<p><b><u>RE2 – Renewable Energy Schemes</u></b></p> <p>This change addresses our concerns in this respect. (WG Deposit Rep, Cat C, Page 6)</p> <p>The authority has proposed a focussed change removing the search area(s) for wind from the plan. The justification for this is not clear from the Focussed Changes. We note from the Consultation Report that the rationale is inclusion of a 7km wind and 3.5km (solar) buffer zone around the AONB. While the application of 7km visual impact buffer is in accordance with the WG Renewable Energy Toolkit, this change has been made in advance of the updated REA being made publicly available. Focussed changes should be based on evidence. It is also unclear as to whether amending the constraint assumptions within the REA impacts on the other areas? This needs to be explained.</p> <p>The WG Deposit Rep (Cat C, Page 6) stated that the proposed LSAs for wind/solar should be specifically listed in the plan together with the contributions for each site. The proposed focussed change now lists the areas of search for Solar which is supported. However it remains unclear what the contribution (from heat and electricity) from these areas will be over the plan period. This is essential in order to aid effective monitoring of this policy. The Council would benefit from looking at recently adopted plans and their monitoring frameworks (Swansea and Powys).</p> <p><b><u>DM1 – Development Management Considerations</u></b></p> <p>We support the identification of Criterion 3 and the addition of ‘or land instability’. However, these areas should be on the constraints map, rather than the Proposals Map.</p> <p>PPW Ed 10 para 5.10.17 states “The safeguarding of primary coal resources is not required.” Therefore, no safeguarding of coal is required on a Proposals Map.</p>

In addition, the WG considers there is no need to add to the Proposals Map Coal Authority high risk areas. These are best placed on a Constraints Map. This is consistent with the approach across Wales. This would also remove the need for the proposed changes to the policy in this respect.

**Minor Editing Change (MEC37) – Clarification of Policy H2 Affordable Housing – Doc. KPD21a**

The WG welcomes the publication of Doc KPD21a to clarify the content of Policy H2 – Affordable Housing. The WG Deposit Rep (Cat B, page 4) highlighted substantial concerns in respect of the Policy H2 and the supporting evidence base. Unfortunately the Welsh Government received an incorrect hard copy of the Deposit plan (This policy included a 3 way affordable housing target split in the County). MEC37 clarifies the policy position is a four way split. Therefore, the following comments supersede our Deposit representation.

It is essential the viability evidence is up-to-date and takes into account all known costs, including an allowance for appropriate infrastructure. Affordable Housing policies should be based on robust evidence and be applicable to the majority of schemes. This is essential to ensure the policy aligns with the evidence base and maximises affordable housing provision through the LDP given the high level of need and its stated priority. The WG considers that a four way target split aligns with the areas of viability in the AHVS, summarised in Table 7.3 of the AHVS. **However, the Welsh Government considers there are core elements of the AHVS that require clarification:**

- The analysis of what is a viable policy target and how the surplus per unit accommodates ‘other contributions’ is unclear. The analysis summarised in paragraph 7.13 of the AHVS has only been completed based on a 20% policy target across the board. It would have been helpful for this table to be expanded to include all realistic policy targets and benchmarked against an analysis on what is a realistic figure for ‘other contributions’. Other LPAs have used a range for S016 contributions of between £1750 and £10,000 per unit. At present it is uncertain as to whether there is a sufficient surplus to demonstrate the suggested ‘viable targets’ in Table 7.3 are viable in practice, particularly where there are very low or negative values in three of the market areas (**see table overleaf**)? What is a realistic S106 cost in these areas reflecting the site allocations and requirements of the Infrastructure Plan? Are there implications for the affordable housing policy targets in the LDP?
- Clarification and justification is required to demonstrate the ‘surplus’ values in the above table are sufficient to justify the targets in Policy H2 are viable and can accommodate ‘other contributions’.
- It is also unclear if the AHVS has tested the impact of ‘sprinklers’ (£3,100 per dwelling)?

Sub Area (30dph)	Land Vale Benchmark	Viable Policy Position (Taken from Table 7.3 of the AHVS) as reflected in Policy H2		Surplus per unit for 'other contributions' <i>(viability potential from Table 7.3 minus LVB / 30dph = surplus per unit)</i>
Rural East	£719,801	40%	£1.05	£11000
North Wrexham & Gresford	£464,996	40%	£0.48	£500
South Wrexham	£368,555	30%	£0.46	£3050
Rural West, Chirk	£300,000	30%	£0.36	£2000
North West Settlements	£174,289	25%	£0.20	£860
Cefn Mawr & Rhos	£119,462	0%	£0.03	£-3000