

REPORT TO:	Council
REPORT NO:	HEP/63/18
DATE:	22 November 2018
LEAD MEMBER:	Councillor David Kelly (Lead Member for Organisation - Planning and Corporate Services)
CONTACT OFFICER:	Lawrence Isted (Head of Environment and Planning)
SUBJECT:	Wrexham Local Development Plan (2013 -2028)
WARD:	All wards

1. PURPOSE OF THE REPORT

To present to the Council the findings of the Deposit Local Development Plan consultation (**Appendix 1**), to agree Focussed Changes (including Minor Editing Changes) to the Plan (**Appendix 6**), to agree to the Plan being Submitted to the Welsh Government and Planning Inspectorate Wales for independent Examination in Public and to approve a scheme of delegation for dealing with changes to the Plan proposed by the Inspector during the Examination in Public (**Table 4**).

2. EXECUTIVE SUMMARY

- 2.1 The Deposit Local Development Plan (LDP) was approved for public consultation by the Council on the 28 March 2018 (HEP34/18). Consultation took place between 9 April and 16 July 2018 and attracted 3588 representations. Details of these representations and a summary of the proposed Council's response to them can be found in **Appendix 1**, available via the following link:
http://www.wrexham.gov.uk/assets/pdfs/information_reports/2018/appendix1-ldp-reps.pdf.
- 2.2 Following consultation, the Council, as Local Planning Authority (LPA), had a statutory duty under the regulations¹ to make available all the representations received. This has been done by placing them on the LDP consultation portal on the Council's website.
- 2.3 **Table 2** (after paragraph 4.8 below) shows the number of representations made against each of the policies in the LDP. The largest number (1443 or 42%) are mostly objections to the three proposed Gypsy and Traveller site allocations (Policy

¹ Regulation 19 (2), Town and County Planning (Local Development Plan) (Wales) Regulations, 2005 (as Amended)

H4) while large numbers were also received in relation to some of the proposed housing allocations (Policy H1) (381 for Site 12, Gatewen Road, New Broughton and 367 for Site 11, Berse Road, Caego, New Broughton).

- 2.4 The representations received, along with a number of other documents, as prescribed in the Welsh Government (WG) LDP regulations² (including the Sustainability Appraisal (SA) Report, Community Involvement Scheme (CIS), Consultation Report, Site Register and other supporting documents that the Council, as Local Planning Authority, considers relevant to the preparation of the Plan (e.g. the evidence-base and technical background papers), must be submitted to WG and Planning Inspectorate Wales (PINS) for independent Examination in Public (EiP) once the Council has '*considered any representations received*'³ (see **Section 4c**) below for the consideration of objections and **Section 4d**) below for the documents required to be submitted).
- 2.5 The findings of the Deposit LDP consultation and recommended proposed Focussed Changes to the Plan have been reported to the Planning Policy Panel whose recommendations to the Executive Board are set out in **Section 7**, below. This report follows those recommendations except with regard to the proposed scheme of delegation (see **Section 4f**), below).
- 2.6 This report recommends changes to the Plan (see **Section 4c**), below and the schedule of proposed changes attached as **Appendix 6**). However, these are minor changes to policies and proposals ('Focussed Changes') and typographical corrections ('Minor Editing Changes') arising from the representations made and/or changes in evidence since the Plan was placed on Deposit. No wholesale changes to the LDP, such as the deletion of sites and/or the inclusion of new sites, are proposed because this could constitute a fundamental change to the LDP and threaten its 'soundness' (see **Section 4e**) below for a discussion of soundness).
- 2.7 Despite the number of objections received, it is considered that the LDP, with a small number of Focussed Changes, is sound and provides a robust basis for Submission to the WG and PINS for independent Examination in Public. Whilst a large number of objections have been made to the three Gypsy & Traveller site allocations, the Council has a duty to provide such sites where a need has been identified and the objections made are not considered to override that duty⁴. The purpose of the LDP is to seek to meet all of the needs of all of the varied communities that make up Wrexham to the extent that this can be done through the land use Planning system.
- 2.8 An independent Inspector will consider the soundness of the LDP, and all of the representations made by the public and other parties, during the Examination in Public hearings which will take place over several months in 2019. Members of the public and other interested parties, including elected Members, will be able to appear at the hearings, at the Inspector's discretion.

² Regulation 22 (2) Town and County Planning (Local Development Plan) (Wales) Regulations, 2005 (as Amended)

³ Regulation 22 (1) Town and County Planning (Local Development Plan) (Wales) Regulations, 2005 (as Amended)

⁴ Section 103, Housing (Wales) Act, 2014.

- 2.9 The LDP, once ‘Adopted’ (this may take 12 months from the date of Submission), will provide economic, social, cultural and environmental benefits for the County Borough as a whole, including new homes, affordable housing and new jobs. Its adoption will also help the Council resist speculative development, or ‘Planning by Appeal’, which the County Borough has suffered from since the Adopted Wrexham Unitary Development Plan expired.
- 2.10 The Delivery Agreement⁵ (DA) formally sets out the timescales for the preparation of the LDP and states that it should be Submitted in November 2018. The most recent version of the DA was approved by the First Minister in October 2017 and WG has indicated that they would not support any further delays to the preparation of the LDP. It is therefore considered imperative that the LDP be Submitted in accordance with the DA or the Council risks having WG direct that it is Submitted.
- 2.11 This report was considered by the Executive Board on 13th November 2018 which resolved to recommend to the Council that it submit the LDP to the Welsh Government and Planning Inspectorate Wales for Examination in Public.
- 2.12 The Council is also asked to agree a scheme of delegation specifically to deal with changes to the Plan suggested by the Inspector during the EiP hearings, as set out in **Table 4 in Section 4f)** below. The Executive Board recommended that the Council approve this scheme.

3 RECOMMENDATIONS

3.1 That the Council:

- a) Note the representations received during the Deposit Local Development Plan consultation (Appendix 1) and that they will be forwarded to the Welsh Government and the Planning Inspectorate for consideration as part of the Examination in Public.**
- b) Resolve that the Wrexham Local Development Plan (2013 - 2028), as amended by the schedule of Focussed Changes attached as Appendix 6, be Submitted to the Welsh Government and the Planning Inspectorate for Examination in Public.**
- c) Resolve that the schedule of Focussed Changes attached as Appendix 6 be consulted on in tandem with the Submission.**
- d) Approve the scheme of delegation set out in Table 4 in Section 4f) of the report as a means of dealing with changes to the Local Development Plan proposed by the Inspector during the Examination in Public.**

REASONS FOR RECOMMENDATIONS

- (i) To ensure that the Council submits the LDP to the Welsh Government and Planning Inspectorate in accordance with the timescales set out in the Delivery Agreement.
- (ii) To enable any changes proposed by the Inspector as part of the Examination in Public to be dealt with in a timely manner, to ensure that there are no further delays

⁵ Wrexham Local Development Plan, Delivery Agreement (October 2017)

to the adoption of the plan, but also to ensure appropriate Member oversight of any proposed changes.

4. BACKGROUND INFORMATION

a) The Deposit Wrexham Local Development Plan (2013 – 2028)

4.1 The Deposit Local Development Plan (LDP) was approved for public consultation by the Council on the 28 May 2018 (HEP34/18).

4.2 The Deposit LDP contained the following:

- a) **Foreword** by the Lead Member for Organisation - Planning and Corporate Services
- b) **How to comment on the Deposit LDP**
- c) **Introduction** - how we have arrived at the Deposit Plan, an overview of the County Borough and the key national, regional and local policies, plans and guidance that has shaped the Deposit LDP
- d) **Key Issues, Vision and Objectives** - the key issues and opportunities facing the County Borough and the LDP's vision, strategic objectives and a growth and spatial strategy which seeks to address the key issues and opportunities
- e) **Plan Strategy and Strategic Policies** - the LDP's strategy, key diagram and strategic policies and proposals as well as policies on the location of development, the Key Strategic Sites (KSS), Green Wedge, Wrexham Town and Wrexham Town Centre, Health and Wellbeing, Wrexham Industrial Estate, the Natural Environment, Built Heritage and Climate Change
- f) **Topic, Criteria and Area-Based Policies** - the topic, criteria and area-based policies that will most commonly be used to guide decisions on Planning Applications split into more detailed policies in relation to general development management considerations, housing (including general housing and Gypsy and Traveller site allocations and a criteria-based policies for assessing planning applications), economy, built and natural environment, retail, transport, community facilities, the Welsh language, minerals, waste and renewable energy,
- g) **Monitoring Framework** - the annual monitoring framework which contains a number of annual monitoring indicators. This will be used to produce the Annual Monitoring Report (AMR) once the plan is adopted.

4.3 There is no requirement for the Deposit LDP to repeat national planning policy, including national development management policy contained in Planning Policy Wales (edition 9, 2016). The Deposit LDP therefore makes cross references at the end of each policy/section to the relevant national planning policy without being overly repetitive. There is also reference to the relevant plan objectives, evidence base any supporting supplementary planning guidance, relevant monitoring indicators and how the policy/proposal meets the wellbeing goals identified in the Wellbeing of Future Generations Act (WBFGA).

4.4 Where relevant, policies and proposals contained in the strategic policy section and the topic, criteria and area-based policies section, including allocations, are annotated on the Proposals Maps which were made available to be read alongside the policies during the consultation. The Proposals Maps identify the land use policies, proposals and allocations identified in Chapters 5 and 6 of the Plan (see bullet points e) and f) in para 4.2 above).

4.5 Once adopted, the LDP will become the statutory land use plan for the County Borough and replace the current (expired) Unitary Development Plan (1996 - 2011) as a basis for making decisions on investment and individual Planning Applications.

b) Deposit Plan Consultation and Representations

4.6 The LDP and its accompanying documentation were formally placed on Deposit for public consultation from the 9 April 2018 to 31 May 2018. The consultation period was subsequently extended until 16 July 2018. **Appendix 2** details the documentation that formed part of the consultation.

4.7 In response, 3588 representations were received from members of the public and a wide range of statutory consultees, developers, landowners and agents. Over the course of the consultation, officers undertook a number of drop-in sessions throughout the County Borough and attended, by invitation, a number of public meetings organised by communities and/or Borough Councillors in response to proposals for Gypsy and Traveller site allocations. Details of the sessions are provided in **Table 1** below.

Deposit Plan Consultation drop-in sessions		
Venue	Date and Time	Number attended
Overton Village Hall	Thursday 12 April 4– 8pm	95
Contact Centre, Wrexham	Monday 16 April 10 12, 2-4pm	9
Llay Resource Centre	Tuesday 17 April 4-8pm	19
The Stiwt, Rhos	Wednesday 18 April 4- 8pm	4
Rhostyllen (Esclusham) Parish Hall	Thursday 19 April 4-8pm	21
George Edwards Hall, Cefn Mawr	Tuesday 24 April 4 -8pm	9
Guildhall, Wrexham	Wednesday 25 April 4-8pm	10
Brymbo Enterprise Centre	Thursday 26 April 4-8pm	41
Contact Centre, Wrexham	Monday 30 April 10–12, 2-4pm	1
Pentre Gwyn Community Centre	Tuesday 1 May 10am – 1pm	10
Rossett and Burton Village Hall	Thursday 3 May 4-8pm	17
Gwersyllt Resource Centre	Tuesday 15 May 4-8pm	24
Holt Community Centre	Wednesday 16 May 4-7pm	17
Contact Centre, Wrexham	Monday 21 May 10-12, 2-4pm	8
Redwither, Wrexham Industrial Estate	Thursday 24 May 10am – 1pm	1
St. Johns, Church Hall, Rhosnesni	Tuesday 29 May 4-8pm	31
New Broughton Community Centre	Wednesday 30 May 4-8pm	72
Chirk Parish Hall	Thursday 31 May 2-5pm	22
Contact Centre, Wrexham	Monday 4 th June	9
Contact Centre, Wrexham	Monday 11 th June	7
Contact Centre, Wrexham	Monday 18 th June	5
Contact Centre, Wrexham	Monday 25 th June	2
Total		434
Public Meetings (officers invited to attend by the community/Members)		
Venue	Date and Time	Approximate numbers attended
Llay	Wednesday 4 April, 6.00 - 9.00 pm	250
Bradley	Monday 16 April, 6.15 - 7.30pm	150

Table 1: Deposit Plan Consultation drop-in sessions and public meetings

4.8 All of the representations received have been processed by the Council and made available to view on the Council's LDP consultation portal, in accordance with statutory requirements⁶. **Table 2**, below provides an overview of the number of representations received against each of the policies in the LDP. All of the representations will be forwarded to PINS with the submission documentation (see **Section 4d**) below) and have been used to inform proposed changes to the LDP (see **Section 4c** below).

Q	LDP Policy	Total	Object	Support	Neutral
1	Attendance at Hearing Session	46	NA		
2	Tests of Soundness	193	NA		
3a	Key Issues	48	9	28	11
3b	Strategic Objectives	58	9	36	13
4	SP1 Housing Provision	33	23	6	4
5	SP2 Location of New Development	39	31	7	1
6	SP3 Key Strategic Housing Sites	13	7	1	5
7	SP4 KSS1 Lower Berse Farm	22	12	1	9
8	SP5 KSS2: Land east of Cefn Road	61	53	3	5
9	SP6 Planning Obligations	11	5	5	1
10	SP7 Green Wedge	29	19	9	1
11	SP8 Wrexham Town	5	2	1	2
12	SP9 Economic Growth Employment/Enterprise	7	1	5	1
13	SP10 Wrexham Industrial Estate	6	2	3	1
14	SP11 KSS3 North of Bryn Lane WIE	18	10	2	6
15	SP12 Transport and Accessibility	9	2	6	1
16	SP13 Design Principles and Masterplanning Framework	8	2	4	2
17	SP14 Health and Wellbeing	9	2	5	2
18	SP15 Natural Environment	22	7	14	1
19	SP16 Historic and Cultural Environment	11	5	6	0
20	SP17 Minerals Supply and Safeguarding	9	7	1	1
21	SP18 Sustainable Waste Management	2		2	
22	SP19 Climate Change	6		4	2
23	SP20 Green Infrastructure	18	7	7	4
24	DM1 Development Management Considerations	15	4	9	2
25	NE1 Natural Environment	6	3	2	1
26	NE2 Locally Designated Sites of Nature Conservation and Geological Importance	7	3	3	1
27	NE3 Trees, Woodlands and Hedgerows	9	1	5	3
28	NE4 Area of Outstanding Natural Beauty	4	1	3	
29	NE5 Special Landscape Areas	17	6	11	
30	NE6 Waste Water Treatment and River Quality	11	2	8	1
31	BE1 Pontcysyllte Aqueduct and Canal World Heritage Site	3		3	
32	BE2 Trevor Basin Masterplan Area	6	2	4	

⁶ Regulation 19 (2), Town and County Planning (Local Development Plan) (Wales) Regulations, 2005 (as Amended).

Q	LDP Policy	Total	Object	Support	Neutral
33	H1 Housing Allocations	913	853	9	51
	KSS1	8	7		1
	KSS2	5	4		1
	H1.1 Mold Road/A483, Wrexham	10	6		4
	H1.2 Jacques Scrapyard, Wrexham	4	1		3
	H1.3 Crown Buildings, Chester Road, Wrexham	3			3
	H1.4 Rhosymedre Infant Site, Cefn Mawr/Acrefair	2			2
	H1.5 Ruabon Works, Queen Street, Cefn	5	3		2
	H1.6 B5070, Chirk	33	30		3
	H1.7 Stansty Fields, Stansty, Gwersyllt	9	5	1	3
	H1.8 Mold Road IE, Gwersyllt	4	1		3
	H1.9 British Legion, Llay	5	1	1	3
	H1.10 Home Farm, Llay	8	4		4
	H1.11 Berse Road, Caego, New Broughton	367	363	1	3
	H1.12 Gatewen Road, New Broughton	381	378		3
	H1.13 Adj Sycamore House, Holt	5	3		2
	H1.14 St Mary's Ave, Overton	10	8		2
	H1.15 The Grange, Penley	3	1		2
	H1.16 North & South Rossett Road, Rossett	32	28	1	3
	H1.17 Llay New Road, Rhosrobin	9	5	2	2
	Non Site Specific (General)	10	5	3	2
34	H2 Affordable Housing	15	9	1	5
35	H3 Affordable Housing Exception Sites	5	2	2	1
36	H4 Gypsy and Traveller Sites	1443	1266	28	149
	Llay	739	679	11	49
	Brymbo	382	314	11	57
	Hanmer	321	273	6	42
	General	1	0	0	1
37	H5 Gypsy and Traveller Accommodation	21	20		1
38	H6 Conversion to HMO	2	1		1
39	H7 Housing in the Countryside	8	4	4	
40	H8 Replacement Dwellings in the Countryside	1	1		
41	H9 Conversion outside SL to Residential	1		1	
42	EM1 Protection of Existing Employment Land	21	6	2	13
43	EM2 Provision of Supporting Facilities in Employment Areas	1		1	
44	EM3 Alternative Use of Employment Land & Premises	1		1	
45	EM4 Employment Dev Outside SL	2	1	1	
46	EM5 Visitor Accommodation Outside SL	6	5		1
47	EM6 Pentre Maelor & KSS3 Housing Buffer	3	1	2	

Q	LDP Policy	Total	Object	Support	Neutral
48	T1 Managing Transport Impacts	6	3	2	1
49	T2 Active Travel	8	1	4	3
50	T3 Passenger Transport	4	1	3	
51	T4 Wrexham General Transport Hub	3		3	
52	T5 Safeguarding Disused/Redundant Rail Infrastructure	3	1	2	
53	T6 Strategic Road Transport Infrastructure Improvements	6	1	3	2
54	R1 Retail, Leisure & Commercial Centre Hierarchy	4	1	2	1
55	R2 Development within WTC Masterplan Area	3	1	1	1
56	R3 Primary Shopping Streets	2	1		1
57	R4 Development Outside Primary Shopping Streets	2		2	
58	R5 District, Local, Village & Neighbourhood Centres	1		1	
59	R6 Retail Development (Edge & Out of Centre)	0	0	0	0
60	R7 Loss of Local Services	4	1	3	
61	CF1 Protection of Existing Open Space, Sport and Recreational Facilities	8	1	6	1
62	CF2 Provision of New Open Space	14	6	6	2
63	CF3 Regional Sports Stadia	1		1	
64	WL1 Welsh Language	5	1	3	1
65	MW1 Minerals Safeguarding	6	4	2	
66	MW2 Mineral Buffer Zones	1	1		
67	MW3 Sustainable Supply of Minerals	3		2	1
68	MW4 Secondary and Recycled Aggregates	0	0	0	0
69	MW5 Sustainable Waste Management	0	0	0	0
70	MW6 Waste Management Facilities	2		1	1
71	RE1 Development and Renewable Energy/ Low Carbon Technology	6	4	1	1
72	RE2 Renewable Energy Schemes	15	9	2	4
73&74	Monitoring Framework	10	5	1	4
75	Other	267	NA		
TOTALS		3588	2448	307	327

Table 2: Number of representations received against each policy in the Deposit LDP

4.9 Of the 3588 representations received, 2448 are objections to the Plan and 307 in support. A large number of objections relate to some of the proposed housing allocations (Policy H1), in particular Sites 11 and 12, but the largest number oppose the three proposed Gypsy and Traveller site allocations (Policy H4). **Appendix 1** summarises the representations received and the recommended proposed Council response. **Appendices 4 and 5** provide a more detailed response to the objections raised to Policy H4 (Gypsy and Traveller Sites) in regard to the site assessment methodology (**Appendix 4**) and site-specific matters relating to each of the sites (**Appendix 5**).

- 4.10 In brief, the representations raise a variety of matters including:
- The LDP's proposed dwelling requirement and the deliverability and viability of housing allocations, and the need to demonstrate a 5 year supply of land
 - Affordable housing requirement/targets
 - Gypsy and traveller site provision to meet identified needs and their deliverability
 - Objections to site allocations and proposed extension to settlement limits,
- 4.11 The representations received will be used to update the Final Consultation Report, one of the key Submission documents. This will explain the nature of the consultation undertaken at Deposit LDP stage and provide an overview of the key issues raised and how the representations have informed proposed changes to the LDP. The full representations are available to view on the LDP consultation portal⁷ and copies of the originals are available to view at the Council's Lord Street offices.
- 4.12 **Appendix 3** details the representation received from Welsh Government (WG) to the Deposit LDP. This has been included in full because of the history of the LDP in Wrexham, in that 'LDP1' was withdrawn in 2012. As can be seen, the representation is relatively short, comprising a covering letter and an annex which provides further detail on the representations made. WG group their responses into 3 categories (see **Table 3** below for a summary and **Appendix 3** for the full copy), but raise no fundamental (Category A) objections to the Deposit LDP. This should provide the Council with a degree of comfort that the Deposit LDP is, without prejudice to the EiP process, 'heading in the right direction'.

Objection category	Explanation	Number received	Topic area
A	Objections under soundness tests: Fundamental issues that are considered to present a significant degree of risk if not addressed prior to submission	0	N/A
B	Objections under soundness tests: matters where it appears that the Deposit Plan has not satisfactorily translated national policy to the local level or there are tensions in the plan	1	<ul style="list-style-type: none"> • Affordable Housing Targets and viability
C	Objections under soundness tests: whilst not considered being fundamental to the soundness of the LDP, there is a lack of clarity on the matters which can be usefully addressed	10	<ul style="list-style-type: none"> • General Delivery & Implementation • Planning Obligations & Community Infrastructure Levy (CIL) • Components of Housing Supply • Affordable Housing Authority wide target • Gypsy and Travellers: Need, provision & site deliverability • Houses in Multiple Occupation • Renewable Energy Assessment

⁷ <http://wrexhamldp.wrexham.gov.uk/portal>

			<ul style="list-style-type: none"> • Flooding • Minerals • Proposals Map • Monitoring
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Table 3: Summary of WG’s representation on the Deposit LDP

4.13 Officers have met WG colleagues since they submitted their representation and have undertaken further work to address the points raised, where required, prior to Submission. These are included in the proposed schedule of Focussed Changes (**Appendix 6**) and relate to Policy SP1 (Housing Provision - FC01), Policy H5 (Gypsy and Traveller Accommodation - FC19), Policy H6 (Houses in Multiple Occupation - FC20, FC21 & FC22) and Policy RE2 (Renewable Energy - FC28 & FC29). The other representations made by WG are matters which they are satisfied the Council does not need to address prior to Submission as they can be dealt with during the EiP; hence why no Focussed Changes are proposed in respect of these points.

c) Changes to the Plan

4.14 Only two types of changes can be made to the Deposit LDP prior to its Submission for Examination in Public: ‘Focussed Changes’, which can be made in exceptional circumstances and ‘Minor Editing Changes’.

i) Focussed Changes:

4.15 The Town and County Planning (Local Development Plan) (Wales) Regulations (2005) as amended (2015) set out the legislative framework for preparing a LDP. Supplementary guidance is provided in the LDP Manual (August 2015) and by PINS. The regulations do not set out any stages between dealing with the Deposit LDP representations and submitting the LDP to WG and PINS for EiP, but the Manual⁸ indicates that changes to the LDP can be made in exceptional circumstances where it is necessary to ensure that the LDP is ‘sound’ (see **Section 4e**) below for further information about soundness).

4.16 Such changes are known as ‘Focussed Changes’ (FC) and, in accordance with the Manual, *‘should be avoided wherever possible’⁹ as the ‘.....Authority should only place a plan on deposit if it considers it is sound. It will need to justify this assertion at the examination and because of this must consider carefully the extent to which recommending changes after deposit throw into doubt the overall soundness of the deposit plan and erode its position at examination’¹⁰.*

4.17 The Manual further states that *‘exceptionally it may prove necessary to consider proposing changes to ensure the plan is sound, for example, where there has been a sudden, major change in local circumstances, new national planning policy has been introduced or deposit plan representations identify an unforeseen soundness*

⁸ Section 7.6, Local Development Plan Manual, Edition 2, August 2015
<https://gov.wales/docs/desh/publications/151007local-development-plan-manual-edition-2-en.pdf>

⁹ Paragraph 7.6.2, Section 7.6 Local Development Plan Manual, Edition 2, August 2015
<https://gov.wales/docs/desh/publications/151007local-development-plan-manual-edition-2-en.pdf>

¹⁰ Paragraph 7.6.1, Section 7.6 Local Development Plan Manual, Edition 2, August 2015
<https://gov.wales/docs/desh/publications/151007local-development-plan-manual-edition-2-en.pdf>

*issue*¹¹. If such changes are proposed they should be ‘one set of an extremely limited number of focussed changes that reflect key pieces of evidence but do not go to the heart of the plan, affecting only limited parts of it’ and should be consulted on ‘at the earliest opportunity to avoid delaying the examination process’¹².

- 4.18 The guidance states that the most appropriate and time-efficient way of bringing forward changes to the LDP prior to EiP is to undertake 6 weeks of public consultation on them immediately prior to Submission; this would be in the form of an addendum to the Deposit LDP. Any representations received would only be accepted on the proposed FCs and would be collated by the Council and sent to PINS in order to commence the EiP which would start once the proposed FCs had been submitted¹³. A number of Councils (including Wrexham CBC for ‘LDP1’) have submitted the LDP and undertaken consultation on FCs simultaneously; others have made no changes to the LDP and let the EiP process deal with them (where they would be known as ‘Matters Arising Changes’ or MAC’s and publicised as part of the EiP process to inform the Inspector’s final report (see **Section 4g**) below). Regardless of the approach taken, any consultation on FCs should not result in a need to amend the Delivery Agreement (DA); FCs are not intended to delay Submission or lead to a delay in the EiP process and PINS would arrange any Pre-Hearing Meeting (PHM) and the opening hearing sessions accordingly¹⁴ (see **Section 4g**) below for further information on the next stages).
- 4.19 In Wrexham’s case, undertaking consultation on FCs in advance of Submission would undermine the timetable in the agreed DA, but undertaking consultation on FCs in tandem with Submission would be in accordance with the DA. Discussions with WG officers have indicated that the priority in respect of our LDP is to get it Submitted in accordance with the DA, and clearly their representation does not indicate the need for the Council to undertake consultation on any FCs prior to the EiP.
- 4.20 Officers have, in accordance with LDP guidance, hosted an advisory visit with PINS. Whilst they would prefer any FCs to be consulted on in advance of the EiP, they advise that it is at the discretion of the Council as to whether or not FCs are proposed on the basis of the representations received.
- 4.21 Having considered the representations made on the Deposit LDP (**Appendices 1, 3, 4 and 5**) and changes to the evidence-base, it is considered that some FCs should be made and that they would address some of the matters and issues raised by representors. The schedule of proposed FCs (including Minor Editing Changes) is contained in **Appendix 6**.
- 4.22 One of these proposed FCs concerns the Gypsy and Traveller site allocations. Since the LDP was placed on Deposit there has been a change in the overall level of need for such accommodation because of the granting of Planning Permission for a number of pitches on private land. The requirement has reduced to 19 pitches over

¹¹ Paragraph 7.6.2, Section 7.6 Local Development Plan Manual, Edition 2, August 2015
<https://gov.wales/docs/desh/publications/151007local-development-plan-manual-edition-2-en.pdf>

¹² Paragraph 7.6.3 Section 7.6 Local Development Plan Manual, Edition 2, August 2015
<https://gov.wales/docs/desh/publications/151007local-development-plan-manual-edition-2-en.pdf>

¹³ Paragraph 7.6.8, Section 7.6 Local Development Plan Manual, Edition 2, August 2015
<https://gov.wales/docs/desh/publications/151007local-development-plan-manual-edition-2-en.pdf>

¹⁴ Paragraph 7.6.11, Section 7.6 Local Development Plan Manual, Edition 2, August 2015
<https://gov.wales/docs/desh/publications/151007local-development-plan-manual-edition-2-en.pdf>

the LDP plan period and the proposed FC is that the number of pitches required on each of the sites should be reduced accordingly (to 7 pitches on the Llay site and 6 pitches on both the Hanmer and Brymbo sites).

- 4.23 Wholesale changes to the LDP are not proposed. The proposed FCs do not include the deletion of any existing, or the inclusion of any new, proposed sites because this would be a fundamental change to the Plan that would risk its overall soundness. Whilst a large number of objections have been made to the Gypsy & Traveller allocations (Policy H4), the Council has a duty to provide such sites where a need is identified and the objections received are not considered to override the need to provide such sites in accordance with that duty, for the reasons set out in **Appendices 4 and 5**. Similarly, the objections to housing allocations 11 and 12 (Policy H1) do not warrant the removal of the sites from the LDP as the issues raised can be mitigated as part of any detailed Planning Application in due course (see **Appendix 1**).
- 4.24 Subject to the approval of Council (on the 22nd November) to Submit the LDP for Examination in Public, there will be a further 6-week period of public consultation on the Focussed Changes only. This will not be an opportunity to resubmit representations already made during the Deposit LDP consultation. The Council will collate any new representations received, but given that this stage of the process is non-statutory, it is not required to undertake drop-in sessions or respond to individual representations. The representations will be logged and sent to PINS to consider as part of the EiP process. The hearing sessions for the EiP will commence once the FC consultation has ended.
- ii) Minor Editing Changes:
- 4.25 Other changes are proposed to the LDP for minor editing reasons (i.e. factual, typographical and grammatical errors). These are called 'Minor Editing Changes' and do not require public consultation¹⁵; the Inspector has authority to make such changes without further consultation during the EiP. In order to assist the Inspector, however, the schedule of FCs (**Appendix 6**) includes the proposed Minor Editing Changes which will form part of the Submission documentation sent to WG and PINS.
- d) Submission Requirements
- 4.26 Section 8.2.2 of the LDP manual sets out the documentation that the Council (as Local Planning Authority) must submit to WG and PINS and their format (paper and electronic copies). These are:
- i. The Deposit LDP
 - ii. Schedule of FCs (where applicable), including Minor Editing Changes
 - iii. The Sustainability Appraisal (SA) Report
 - iv. The Candidate Sites register
 - v. All other supporting evidence-base material and technical documents (such as the Habitat Regulations Assessment, Housing Needs Assessment and the suite of background papers
 - vi. The Delivery Agreement (DA), incorporating the Community Involvement Scheme (CIS)

¹⁵ Paragraph 7.6.10, Section 7.6 Local Development Plan Manual, Edition 2, August 2015
<https://gov.wales/docs/desh/publications/151007local-development-plan-manual-edition-2-en.pdf>

- vii. The final Consultation Report
- viii. A copy of all representations made on the Deposit Plan (PINS only)
- ix. Any Statements of Common Ground (SoCG).

e) Soundness

4.27 At the Examination in Public (EiP) the Council will have to demonstrate that the LDP is 'sound'. This will be tested by the independent Inspector through a series of hearings over several months (see **Section 4g**) below and **Appendix 7**). The three soundness tests identified in national guidance¹⁶ are shown in bold below together with the sub-questions that supplement each test:

1. Does the plan fit? (i.e. is it clear that the LDP is consistent with other plans?):

- Does it have regard to national policy and Wales Spatial Plan (WSP)?
- Does it have regard to Wellbeing Goals?
- Does it have regard to the Welsh National Marine Plan?
- Is it consistent with regional plans, strategies and utility programmes?
- Is it compatible with the Plans of neighbouring Authorities?
- Does it reflect the Single Integrated Plan (SIP) or the National Park Management Plan (NPMP)?

2. Is the plan appropriate? (i.e. is the plan appropriate for the area in the light of the evidence?):

- Is it locally specific?
- Does it address key issues?
- Is it supported by robust, proportionate and credible evidence?
- Can the rationale behind the plan policies be demonstrated?
- Does it seek to meet assessed needs and contribute to sustainable development?
- Are the vision and the strategy positive and sufficiently aspirational?
- Have the 'real' alternatives been properly considered?
- Is it logical, reasonable and balanced?
- Is it coherent and consistent?
- Is it clear and focussed?

3. Will the plan deliver? (i.e. is it likely to be effective?):

- Will it be effective?
- Can it be implemented?
- Is there support from the relevant infrastructure providers both financially and in terms of meeting relevant timescales?
- Will development be viable?
- Can the sites allocated be delivered?
- Is the plan sufficiently flexible? Are there appropriate contingency provisions?
- Is it monitored effectively?

¹⁶ Section 8.2, Local Development Plan Manual, Edition 2, August 2015

<https://gov.wales/docs/desh/publications/151007local-development-plan-manual-edition-2-en.pdf>

- 4.28 Before the LDP was placed on Deposit, the Council undertook a soundness self assessment in accordance with WG LDP guidance (a copy of which can be found on the LDP consultation portal¹⁷). This document sets out why, in the view of the Council, the LDP was sound to be placed on Deposit.
- 4.29 Paragraph 8.2.1.3 of the LDP manual states that *'The Welsh Government will monitor consistency with national policy throughout the LDP preparation process, and is likely to discourage submission if there is a fundamental conflict. If a plan is considered to be fundamentally unsound this will be drawn to the attention of the LPA so that any necessary action (i.e. withdrawal) is taken before submission. If the Welsh Government makes an objection based on soundness in the normal way, it will be considered at the examination. But fundamentally unsound plans should not be submitted for examination'*.
- 4.30 For the reasons summarised in **Appendices 1, 4 and 5**, it is considered that the LDP remains sound. At the same time, as can be seen in paragraph 4.12 and **Table 3** above and in **Appendix 3**, WG have not raised any fundamental objections to the Deposit LDP on grounds of soundness. This should provide the Council with the comfort that the Deposit LDP provides a sound basis for moving forward to Submission in accordance with the DA. Notwithstanding the fact that numerous representations have been received questioning the soundness of the LDP, these relate to individual site allocations, or to proposals which are seeking the inclusion of new sites which can and will be debated at the EiP.
- 4.31 Paragraph 1.6 of the Planning Inspectorate, LDP Procedure Guidance (August 2015)¹⁸, states that *'The role of the appointed Inspector is to carry out an independent assessment of the overall soundness of the plan and that it satisfies the statutory requirements for its preparation. The Inspector's role is not to improve the LDP but to make recommendations to ensure it is sound. This means dealing with the main issues which go to the heart of the LDP and not getting involved with the details of the plan unless this is necessary to conclude on the Plan's soundness'*. This makes clear that if there are site-specific details which raise soundness issues it will be down to the Inspector to hear these as part of the EiP and decide if and what binding changes should be made to the LDP to improve its soundness.
- 4.32 Where it is felt that limited changes to the LDP should be made in advance of the EiP to improve its soundness, these have been covered in **Section 4c)** above and the suggested Focussed Changes are detailed in **Appendix 6**.
- f) Delegated Authority at Examination in Public
- 4.33 A critical factor in ensuring that the forthcoming EiP is as efficient as possible relates to the right level of delegated authority afforded to officers to agree changes that are proposed by the Inspector as and when they arise during the hearings. Members may recall that the LDP1 inspector expressed concern at the *'failure of the Council to empower its representatives at hearing sessions to suggest any changes to the Plan in response to identified shortcomings. The absence of any*

¹⁷ KPD16_E_Tests of Soundness (Deposit Plan) March 2018 https://wrexham-consult.objective.co.uk/portal/ldp/dldp/ldp_deposit?tab=files

¹⁸ <https://gov.wales/docs/desh/publications/170503ldp-procedure-guidance-en.pdf>

*delegated powers vested in officers representing the Council frustrates the ability of the sessions to seek to resolve even fairly minor matters*¹⁹. Clearly, not to have a suitable scheme of delegated authority in place for this EiP will result in similar frustrations in respect of progressing the LDP's adoption.

- 4.34 The Council's current Constitution does not afford any delegated authority for matters relating to the LDP. It has been necessary therefore, in consultation with Legal Services, to set out a proposed scheme of delegation to deal with changes that are proposed by the Inspector during the EiP process for decision as part of this report.
- 4.35 The proposed scheme of delegation set out in **Table 4**, below is based on those put in place by other Councils in Wales to deal with changes during their EiPs. The most recent example is Powys County Council.
- 4.36 Given the timescales for the submission of the LDP, it is not possible to report this proposed change to the Constitution as part of the normal business of the Council, which is usually dealt with at the Annual Council meeting. Advice from Legal Services is that given the need to report the LDP for Submission to WG and PINS to both the Executive Board and Council in November, this proposed scheme of delegation should be incorporated into those respective reports and debated accordingly for decision.
- 4.37 As can be seen in **Table 4**, below, the purpose of the scheme of delegation is to allow officers to agree, in principle, to the Inspector making changes to the LDP during the hearing sessions in consultation with Members depending on the nature of the changes proposed. Changes of a minor typographical or factual nature are proposed to be delegated to the Head of Environment and Planning (in his absence or inability to act or for operational expediency exercised by the Service Manager Planning Policy), but more significant changes, such as the introduction of a new site or sites, would require consultation with Members, as is set out below.

Type of change	Examples of the types of issues falling into this category	Proposed Delegated Authority
Minor	Typographical, factual or running order of policies.	Head of Environment and Planning (in his absence or inability to act or for operational expediency exercised by the Service Manager, Planning Policy).
Changes of some significance	Inclusion of a new site (non-strategic in scale i.e. less than 500 units) for residential and employment, alterations to walking and cycling routes, changes to green barrier, sand and gravel and SLA boundaries, changes to the settlement limit as a result of any new site proposed, changes to the wording of policies.	Head of Environment and Planning (in his absence or inability to act or for operational expediency exercised by the Service Manager, Planning Policy) in consultation with the Lead Member for Organisation – Planning and Corporate Services and the Chair and Vice Chair of the Planning Policy Panel. Local Members will be notified of any significant changes for information purposes.

¹⁹ Paragraph 1.3, Inspectors Preliminary Findings Report, LDP1
<http://www.wrexham.gov.uk/assets/pdfs/planning/ldp/withdrawal/ED23%20Wrexham%20LDP%20Preliminary%20Findings%20Report.pdf>

Fundamental changes	Changes to proposed gypsy and traveller sites, alterations to the spatial or growth strategy or inclusion of alternative key strategic housing sites (i.e. 500 units or more)	Head of Environment and Planning (in his absence or inability to act or for operational expediency exercised by the Service Manager, Planning Policy) in consultation with the Lead Member for Organisation – Planning and Corporate Services, the Chair and Vice Chair of the Planning Policy Panel and the Leader and deputy Leader. Local Members will be notified of any fundamental changes for information purposes.
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Table 4: Proposed scheme of delegation for dealing with changes during the EiP

- 4.38 **Section 7** of the report, below, explains the involvement of the Planning Policy Panel in the LDP since it was placed on Deposit. The scheme of delegation identified in **Table 4**, above reflects the views of the Panel, where this was the subject of much debate at the meetings on the 25th July and 5th September 2018. Panel members initially raised concerns that the scheme of delegation might result in changes suggested by the Inspector being agreed to by officers without discussion with elected Members, but were reassured that this was not the case; the purpose of the scheme of delegation is to put in place a framework to agree, in principle, to changes suggested by the Inspector at the EiP without unduly delaying the progress of the EiP given the concerns raised by the ‘LDP1’ inspector.
- 4.39 The proposed scheme of delegation differs from the Panel’s recommendations in one important respect: it does not now propose that the Panel be convened at short notice to make recommendations to the officers/Members who will make the decision on the proposed changes. While the Panel can convene and make recommendations as it sees fit, it is considered that it has concluded its role in the LDP preparation process and that changes should be decided as set out in **Table 4** without reference to the Panel. Local Members will be informed of proposed changes in their Wards.
- 4.40 Any changes which are proposed as part of the EiP, known as ‘Matters Arising Changes’ (MACs), will be subject to a separate, 6-week public consultation process, once the initial round of hearing sessions is completed. There will therefore be ample opportunity for Members and the wider public to respond to any proposed changes.
- g) Next Stages
- 4.41 Subject to agreement at the Council on the 22nd November 2018 for the Plan to be Submitted to WG and PINS, the relevant Submission documentation (**Section 4d**, above) will be sent to both organisations to commence the formal process of EiP.
- 4.42 The purpose of the EiP will be to assess whether the LDP preparation requirements have been followed and whether the submitted LDP meets the tests of soundness (as set out in **Section 4e**) above).
- 4.43 Once PINS have received the LDP they will send a Service Level Agreement (SLA) to the Council setting out the actions and commitments to which both parties will adhere during the EiP, including the costs which will be charged monthly to the

Council. PINS will also require details of the appointed Programme Officer (PO) who will liaise directly between the Council (as LPA), PINS and the representors to ensure the proper running of the EiP and to keep the examination library and examination website up to date as the EiP progresses. A Programme Officer has already been appointed to fulfil this role.

- 4.44 PINS are committed to delivering the Inspector's Report to the Council within 12 months of the LDP being Submitted. Depending on the complexity of the LDP, a lead inspector may be supported by other inspectors, specialist advisors or planning officers, and, clearly, the length of the EiP will depend on the complexity and scope of issues considered. PINS's Local Development Plan Examination Procedure Guidance (August 2015)²⁰ sets out a typical schedule from Submission to the issuing of the Final Inspector's report. This is replicated in **Appendix 7**.
- 4.45 When the EiP has been concluded and the Inspector has considered the evidence and finalised his/her report, the report will be dispatched to the Council for fact checking. The Council will have 2 weeks to do this before the Final Report is issued.
- 4.46 Once the Council has received the Inspector's Final Report, the onus will be on it to publish it and to seek approval from the Council formally to adopt the LDP in line with the binding nature of the Inspector's Report. The Executive Board and the Council would need to consider a resolution to Adopt the Plan and could not choose to adopt it in part - the choice would be Adopt it whole, in line with the Inspector's Report (including any changes he/she deems appropriate) or not at all. If the LDP is not adopted there will be no plan in place for the County Borough and it would face further predatory development or 'planning by appeal' without a coordinated approach to site or infrastructure delivery.
- 4.47 Based on the typical schedule identified in **Appendix 7**, it is estimated that the Plan would be adopted early in 2020. The Adopted LDP would then be used to inform investment decisions by public and private individuals and organisations and for determining individual Planning Applications and Appeals.
- 4.48 After the LDP is Adopted, the Council must submit an Annual Monitoring Report (AMR) on progress against the adopted monitoring indicators and the Adopted LDP will be subject to a statutory review 4 years after Adoption. It must also prepare a separate Plan for Community Infrastructure Levy (CIL) to finance required infrastructure through developer contributions. This will be the subject of a separate Examination in Public in due course.

5. IMPLICATIONS

- 5.1 **Policy Framework** - Once adopted, the LDP will become the statutory land use development plan for the County Borough and be used as a basis for public and private investment proposals and for decisions on individual Planning Applications. It will formally replace the current (but expired) UDP (1996 - 2011). The LDP has been prepared in accordance with the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (as amended) and supporting guidance contained in the LDP Manual (2nd Edition, August 2015), National Planning Policy (Planning Policy Wales (edition 9, November 2016) and the raft of

²⁰ <https://gov.wales/docs/desh/publications/170503ldp-procedure-guidance-en.pdf>

Technical Advice Notes (TAN's). It is reflective of both the Wales Spatial Plan (WSP, 2008 update) vision and aspirations for the area and the Local Service Board's (LSB) Single Integrated Plan: Our Wrexham Plan (2013 - 2024) and it is consistent with other regional plans and strategies including those of neighbouring Authorities. The LDP directly supports the Council Plan (2014 - 2017) strategic themes of Economy, People and Place and the Wellbeing goals identified in the Wellbeing of Future Generations (Wales) Act (2015). There is also a requirement for the EiP to examine how the plan has been prepared in the context of the policy framework (soundness test 1, see **section 4e**) above).

- 5.2 **Budget** - The Council has committed funds via a specific reserve to undertake the preparation of LDP2 (which currently stands at just over £173k). With judicious use of in-house resources it is estimated that the LDP can be delivered within that budget, but much depends on matters outside the Council's control, in particular the Planning Inspectorate and Programme Officer (PO) costs²¹. The Council has estimated that the PO costs will not amount to more than £25k while the cost of the inspector currently stands at £508 per day (excluding travel and subsistence). PINS can now also charge for Planning Officer and administrative support as part of the EiP process, the details of which are set out in the The Local Inquiries and Qualifying Procedures (Standard Daily Amount) (Wales) Regulations 2017. Additional funds may therefore need to be allocated to ensure Adoption of the LDP in the event that the costs exceed this budget.
- 5.3 **Legal** - Preparation of the LDP is a statutory requirement under the Planning and Compulsory Purchase Act 2004. Legal Services have been involved in drafting the proposed scheme of delegation for changes proposed by the Inspector during the EiP and the EiP will test that the plan has been prepared in accordance with Town and Country Planning legislation and the requirements of EU Directives on the Sustainability Appraisal (SA) and the Habitats Regulations Assessment (HRA).
- 5.4 **Staffing** - Submission of the LDP is based on the existing staffing levels within the planning policy section (1FTE Service Manager Planning Policy, 1 FTE Planning Policy Lead and 2FTE Planning Policy Officers). Further resources have been identified to cover a period of maternity leave and will also be directed from Planning Development Manager and neighbouring Authorities to cover the EiP.
- 5.5 **Equality/Human Rights** - An Equalities Impact Assessment has been undertaken (ref no EP/EIA00092/2018) a summary of which the EIA is contained in **Appendix 8**. The assessment shows that there will be a positive impact on the protected characteristics of those who are adults and children and young people. The EIA has also considered the impact on those with a disability, and all new developments will need to ensure that advancement of equality for this group is ensured at the detailed Planning Application stage. In addition, the EIA has also considered the impact of the LDP on those in poverty and given the scale of growth and the economic focus of the plan it is considered that this could help advance their situation. Furthermore, the EIA considers the impact of the LDP on the Welsh Language, something that is a key consideration in the LDP making process and which is detailed further in the SA/SEA accompanying the Deposit LDP.

²¹ The Local Inquiries and Qualifying Procedures (Standard Daily Amount) (Wales) Regulations 2017
<http://www.legislation.gov.uk/wsi/2017/476/contents/made>

- 5.6 **Risks** – The Council has a legal duty to prepare a Local Development Plan and keep it up to date. The current development plan for the County (the Wrexham Unitary Development Plan, 1996 – 2011) expired in 2011 and the longer the Council remains without an adopted LDP the greater the risk of it being unable to coordinate and deliver funding, infrastructure and investment within the County Borough. Failure to submit and adopt a sound LDP in line with the agreed Delivery Agreement (DA) puts the Authority at risk of the following:
- a) That the Plan-making function of the Authority is removed with Welsh Government stepping in to ensure that a LDP is put in place at a financial and democratic cost to the Authority
 - b) If the LDP is not submitted to WG and PINS in line with the DA, WG could direct that the Council submit it, again taking the democratic process from the Council
 - c) Costs being awarded against the Council at appeals against individual Planning Applications increasing as the UDP becomes even more obsolete
 - d) Un-coordinated delivery (or non-delivery) of essential infrastructure and services
 - e) In the absence of an Adopted LDP, developments being delivered through ‘planning by appeal’ rather than in accordance with a strategy.
- 5.7 There is also a risk that if the Council does not Submit the Plan in accordance with the DA, that WG could use its powers to direct Submission. If this takes place, WG could impose a wide range of actions on the Council, including appointing consultants to pick up the work and to take it through Examination in Public at cost to the Council. They could also instruct that the Council provide officers for the EiP, but without political support for the LDP it would place those officers in a very difficult position. This could lead to delays in the adoption of the LDP with implications for the Plan base date and the supporting evidence which could lead (again) to the Plan having to be restarted.
- 5.8 Members are advised to consider another risk if the LDP is not Submitted. The LDP sets out proposals that are reliant on WG funding to upgrade junctions along the A483 to facilitate key housing and employment sites. Not submitting the Plan could risk future investment in such key infrastructure by WG as well as investment by the private sector.
- 5.9 Submission of the LDP in line with the DA will reduce the risks identified above. Once the Plan is submitted, adoption will be dependent on the appointed independent Inspector issuing a Final Report, with or without changes, confirming that it is sound. Whilst there are, of course, risks to the LDP as part of the EiP process, this will be dependent on the hearing sessions and the matters that arise. For example, the inspector could, if warranted, suspend the EiP to allow further work to be undertaken on an issue in question or suggest withdrawal of the Plan (as the Inspector did in 2012).
- 5.10 Members should also be aware that whilst no updates to national population and household projections are due at the time of Submission, there are proposed changes to national Planning Policy Wales (PPW) which could have implications for the LDP at EiP; in particular the proposed stance in edition 10 of PPW to the proposal that Key Strategic Sites of 1000 units or more be elevated to the National Development Framework (NDF). The Lead Member delegated report (HEP/50/18) set out the Council's concerns about this and the risks to the LDP as part of the formal consultation response to WG. Discussions with WG to date indicate that should the proposed policy approach be introduced during the course of Plan

submission and EiP (2019) that they would issue a formal objection to the LDP. Rather than let this delay Submission, it is suggested that this be dealt with at the appropriate time and that the Council may need to issue the appointed Inspector with a statement to help him/her determine the weight to be placed on non-conformity with (potential) emerging national planning policy.

6. CONSULTATION

- 6.1 **Section 4b)**, above, details the public consultation on the Deposit LDP. A summary of the representations received is contained in **Appendix 1** and the original representations are available to be viewed on the LDP consultation portal and in the Council's Lord Street offices. Additionally, **Appendix 4** and **Appendix 5** address concerns raised in relation to the site selection methodology for Gypsy & Traveller site allocations (Policy H4) and the site appraisals for the proposed sites (Policy H4), respectively.
- 6.2 There will also be further 6-week public consultation on the proposed Focussed Changes (**Appendix 6**) once the LDP has been Submitted.

7. SCRUTINY COMMITTEE COMMENTS

- 7.1 The **Planning Policy Panel** is a sub group of the Executive Board, set up specifically to provide scrutiny of the LDP and to make recommendations to the Board. More than 35 meetings of the Panel have taken place since 2014 and a number of meetings have taken place since the end of Deposit Plan consultation, as shown in **Table 5**, below.

Meeting	Topic	Member Resolution
25 th July 2018	<ul style="list-style-type: none"> Proposed Scheme of Delegation at EiP 	That further legal input is required into the proposed scheme of delegation
5 th September 2018	<ul style="list-style-type: none"> Proposed Scheme of Delegation at EiP Feedback on Deposit Plan Consultation, Proposed Changes and Submission (Chapter 4 and 5 of the Deposit Plan only) 	<ul style="list-style-type: none"> Agreed to the proposed scheme of delegation as identified in Table 4 above Agreed to note the representations received to the Deposit LDP consultation in relation to Chapter 4 and 5 of the Plan Endorsed the schedule of Focussed Changes and Minor Editing Changes to the LDP to be consulted on in tandem with Submission of the LDP to Welsh Government and the Planning Inspectorate in relation to Chapter 4 and 5 of the Deposit LDP
13 th September 2018	<ul style="list-style-type: none"> Feedback on Deposit LDP consultation, proposed changes and Submission (Chapter 6 of the Deposit LDP only, excluding Policy H4 and H5) 	<ul style="list-style-type: none"> Agreed to note the representations received to the deposit LDP consultation in relation to Chapter 6 of the Plan Endorsed the schedule of Focussed Changes and Minor Editing Changes to the LDP to be consulted on in tandem with Submission in relation to Chapter 6 of the Plan Subject to the following changes: Policy H6 (Conversion of buildings to self-contained flats or Houses in Multiple Occupation) - Policy wording criteria (ii) to be retained and renumber the remaining criteria

		<p>accordingly.</p> <p>Policy EM1 (Protection of Existing Employment Land) - Area 8 - Delete the following wording from the Council's repose to the representation: Remove the land from Area 8: Wynnstay Technology Park subject to planning permission P/2016/0735. The planning permission is for a predominantly residential mixed use and is unlikely to now be available for employment led development. Proposals Map change – only safeguard that area under Policy EM1 not covered by permission P/2016/0735 and replace with the following wording: This position is noted and it will be updated at the Examination in Public.</p> <p>Policy EM4 (Employment Development Outside of Settlement Limits) - Remove the word 'of' from the policy wording in criterion (i)</p>
28 th September 2018	<ul style="list-style-type: none"> Feedback on Deposit Plan Consultation, Proposed Changes and Submission (Policy H4 and H5, Gypsy Traveller Sites) 	<ul style="list-style-type: none"> Agreed to note the representations received to the deposit LDP consultation in relation to Policy H4 and H5 (Gypsy & Traveller policy/sites) Endorsed the schedule of Focussed Changes and Minor Editing Changes to the LDP to be consulted on in tandem with Submission in relation to Policies H4 and H5 Subject to the following changes: Policy H4 (Gypsy and Traveller Sites) - Recommend to the Executive Board and Full Council a focussed change to the LDP proposing that policy H4 retains all 3 site allocations, but with a revised number of pitches on each site as follows: Brymbo - 6 pitches Hanmer - 6 pitches Llay 7 – pitches
4 th October 2018	<ul style="list-style-type: none"> Feedback on Deposit LDP consultation, proposed changes and Submission (Chapter 7 and 'other' changes including sites submitted as part of the Deposit consultation, comments on background papers and representations seeking changes to the proposals maps) 	<ul style="list-style-type: none"> Agreed to note the representations received to the deposit LDP consultation in relation to Chapter 7 of the Deposit Plan and other changes Endorsed the schedule of Focussed Changes and Minor Editing Changes to the LDP to be consulted on in tandem with Submission in relation to Chapter 7 and other changes. Moved that the Wrexham Local Development Plan (2013 - 2028) be submitted to the Executive Board and the Full Council for submission to the Welsh Government and Planning Inspectorate in order to meet the timescales identified in the LDP Delivery Agreement.

Table 5: Summary of the recent Planning Policy Panel meetings

- 7.2 In considering evidence of a reduction in need for Gypsy & Traveller accommodation over the LDP plan period (from 24 pitches to 19), that has arisen because of the granting of Planning Permission for pitches on private land since the LDP was placed on Deposit, the Panel, at its meeting on 28th September, considering four options for a Focussed Change to meet the revised need. These were:
- No change to the Deposit LDP (i.e. keep all 3 allocations as proposed with 8 pitches on each)
 - Keep all 3 allocations, but amend the number of pitches on each proportionately to reflect the overall change in numbers (e.g. Brymbo - 6 pitches, Hanmer - 6 and Llay - 7)
 - Keep all 3 allocations, but amend the number of pitches on each to reflect the change in numbers and evidence about relative site constraints (Brymbo - 3 pitches, Hanmer - 4 and Llay - 12)
 - Delete two of the proposed allocations (Brymbo and Hanmer) and propose 19 pitches on the Llay site
- 7.3 The Panel decided to recommend to the Executive Board that the original allocation of 8 pitches on each site be reduced to 7 on the Llay site and 6 on both the Brymbo and Hanmer sites.
- 7.4 At their last meeting before the Executive Board (4th October), when the Panel considered whether or not to endorse the LDP as a whole, it moved that the LDP be submitted to the Executive Board and to Full Council for submission to the Welsh Government and Planning Inspectorate in order to meet the timescales identified in the LDP Delivery Agreement (DA). In doing so, certain Planning Policy Panel Members strongly expressed the view that they could not support parts of the LDP for policy-specific and ward-specific reasons.

8. EVALUATION OF OPTIONS

- 8.1 A number of options for the content of the Local Development Plan (LDP) have already been assessed as part of the statutory LDP process (i.e. the LDP Vision, Objectives, Strategic Growth and Spatial Options (March 2015), the LDP Preferred Strategy (February 2016) and the Sustainability Appraisal incorporating the Strategic Environmental Assessment of each stage on the LDP consultation portal). The options considered in respect of the Gypsy & Traveller allocations are covered in **Section 7** above and in **Appendices 4 and 5**.
- 8.2 In respect of the options in relation to the submission of the LDP, there are two which are summarised in **Table 6** below. **Section 5** above sets out the risks associated with each of these.

Option	Evaluation
Option 1: Submit the LDP to WG and PINS in line with the Delivery Agreement	This is the preferred option as it reduces the risks identified in section 5 of the report above.
Option 2: Don't submit the LDP to WG and PINS in line with the Delivery Agreement	This is not a realistic option as it increases the risks identified in section 5 of the report above and WG can direct its Submission

Table 6: Options

BACKGROUND PAPERS	LOCATION	WEBSITE INFO
Wrexham Local Development Plan 2013 - 2028 Revised Delivery Agreement (October 2017)	WCBC Website	http://wrexhamldp.wrexham.gov.uk/portal
Wrexham Local Development Plan (2013 - 2028): Vision, Objectives, Strategic Growth and Spatial Options (March 2015)	WCBC Website	http://wrexhamldp.wrexham.gov.uk/portal
Wrexham Local Development Plan (2013 - 2028): Preferred Strategy February 2016	WCBC Website	http://wrexhamldp.wrexham.gov.uk/portal
Wrexham Local Development Plan (2013 - 2028): Deposit Plan and supporting documents	WCBC Website	http://wrexhamldp.wrexham.gov.uk/portal
The Town and Country Planning (Local Development Plan) (Wales) Regulations, 2005	Web	http://www.legislation.gov.uk/wsi/2005/2839/made
The Town and Country Planning (Local Development Plan) (Wales) (Amendment) Regulations, 2015	Web	http://www.legislation.gov.uk/wsi/2015/1598/contents/made
Wales Spatial Plan (2008 Update)	Welsh Government Website	http://gov.wales/docs/desh/publications/130701wales-spatial-plan-2008-update-en.pdf
Planning Policy Wales (Edition 9, November 2016)	Welsh Government Website	http://gov.wales/topics/planning/policy/ppw/?lang=en
LDP Manual 2 (August 2015)	Welsh Government Website	http://gov.wales/docs/desh/publications/151007local-development-plan-manual-edition-2-en.pdf
The Planning Inspectorate: LDPs - Preparing for Submission, A Guide for Local Planning Authorities (August 2015)	Welsh Government Website	https://gov.wales/docs/desh/publications/170503ldp-preparing-for-submission-en.pdf

List of Appendices:

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