

# Scrutiny Report



## Performance Scrutiny Committee – Place and Corporate

### Part 1

Date: 11<sup>th</sup> September 2023

## Subject Replacement Local Development Plan Preferred Strategy for Consultation

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The following people have been invited to attend for this item:

Invitee:	Area / Role / Subject
Paul Jones	Strategic Director
Andrew Ferguson	Planning and Development Manager
Victoria Gee	Planning Policy Manager
Cllr James Clarke	Cabinet Member for Strategic Planning, Regulation and Housing

## Section A – Committee Guidance and Recommendations

### 1 Recommendations to the Committee

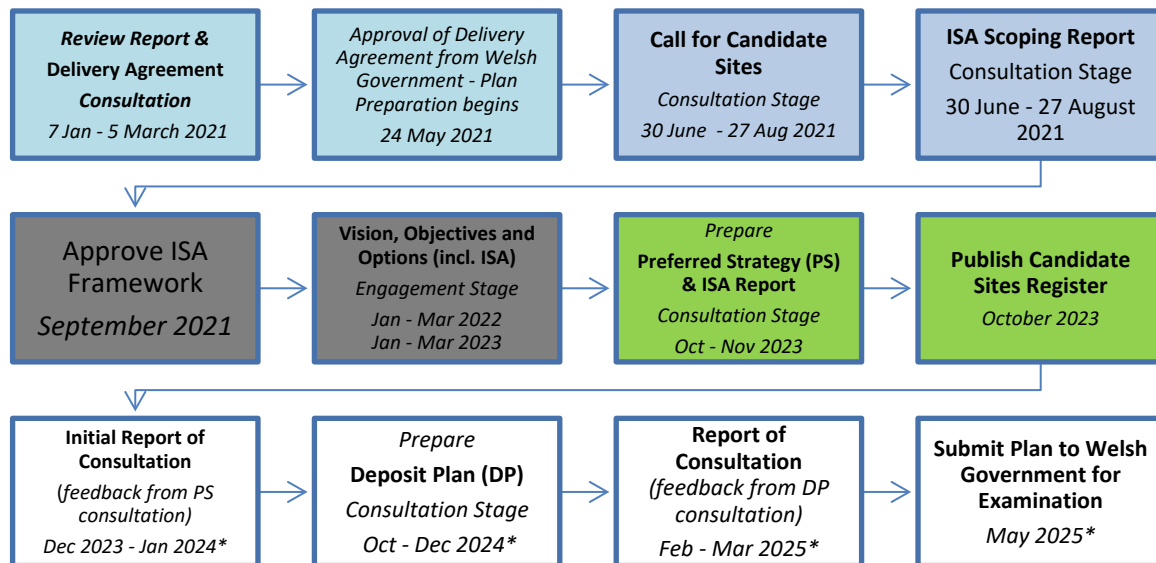
The Committee is asked to:

1. Consider the recommendation that the Preferred Strategy is published for a formal public consultation.

### 2 Context

#### Background

- 2.1 This forms the Committee's first consideration of a Preferred Strategy for the Replacement Local Development Plan (RLDP). Preparation of a Replacement Local Development Plan formally commenced in May 2021 following approval of a Review Report and Delivery Agreement by Full Council and Welsh Government. There are a number of stages to the preparation of a new Local Development Plan, as shown in the following diagram:



2.2 The green boxes indicate the current stage of preparation, which is to undertake consultation on a Preferred Strategy. The Preferred Strategy is a key stage of the RLDP process and forms the 'Pre-Deposit Plan'. As a statutory point of plan preparation process, this requires approval by Full Council. The Preferred Strategy aims to build consensus around proposals which will form part of the Deposit Replacement Local Development Plan.

2.3 Since May 2021, a range of work has been undertaken to build an evidence base for the Replacement Local Development Plan (full list is contained in Appendix 1). This has included undertaking a call for Candidate Sites, consulting on and approving a framework for the Integrated Sustainability Appraisal and two informal stages of engagement. All of this evidence gathering and consultation has informed the draft proposals set out within the Preferred Strategy for consultation (Appendix 2). Following agreement from both Cabinet and Council to commence formal consultation on the Preferred Strategy, the referenced background papers will form part of the consultation documents. Alternative or new candidate sites are also accepted for consideration as part of the consultation.

2.4 It is intended to start the consultation in October, for a minimum of 8 weeks. Appendix 3 provides an overview of the proposed consultation plan and confirms that copies of the documents will be available to view online or in person with hard copies held at the Civic Centre and Central Library during normal opening hours. Engagement events are also planned to enable stakeholders to come along and find out further information and ask questions. Following the close of the consultation, representations received will be analysed, and any necessary changes will be made to the proposals outlined within the Preferred Strategy.

### 3 Information Submitted to the Committee

3.1 Appendix 1 – Draft Newport Replacement Local Development Plan Preferred Strategy 2021-2036

Appendix 2 – Preferred Strategy Background Papers

Appendix 3 – Consultation Plan

3.2 The Preferred Strategy consultation paper provides the following sections:

- Chapter 1: Introduction outlining the purpose of the report, the wider planning policy framework and consultation process.

- Chapter 2: National, regional and local context identifying a range of planning policy and wider strategies which influence the content of the Replacement Local Development Plan.
- Chapter 3: National and regional, economic, environmental, social and cultural issues, which have been identified as forming issues, opportunities and challenges that the Replacement Local Development Plan must respond to.
- Chapter 4: The emerging Vision for the Replacement Local Development Plan.
- Chapter 5: The emerging objectives for the Replacement Local Development Plan, which underpin the Vision and directly address the identified issues.
- Chapter 6: The preferred growth and spatial strategies which underpin the Replacement Local Development Plan.
- Chapter 7: Key Sites identified for new allocations forming part of the strategic sites for the delivery of the preferred growth and spatial strategies.
- Chapter 8: Draft Strategic Framework made up of a range of overarching draft policies which are the most important for the delivery of the preferred growth and spatial strategies.
- Chapter 9: Recommendations for proposed changes to policies for development management.
- Appendices: a list of Supplementary Planning Guidance; a list of national policy documents; a list of regional contextual documents; a list of local contextual documents; and a list of acronyms and abbreviations.

## 4. Suggested Areas of Focus

### Role of the Committee

#### The role of the Committee in considering the report is to:

- Receive the report for information and take the opportunity to comment on the contents.
- Establish whether sufficient information is provided in the Preferred Strategy to enable effective and constructive consultation on the Preferred Strategy.
- Consider whether the proposed consultation process meets the necessary regulations.
- Conclusions:
  - What was the overall conclusion on the information contained within the reports?
  - Is the Committee satisfied that all of the relevant information is available to facilitate a meaningful consultation of the Preferred Strategy?
  - Are there any changes recommended to the proposed consultation exercise?

### Suggested Lines of Enquiry

4.1 In considering the Preferred Strategy consultation paper, the Committee may wish to consider focusing questions on:

- Does the preferred growth strategy identify a suitable and achievable scale of housing and employment growth for Newport?
- Does the preferred spatial strategy identify a suitable and achievable strategy for the distribution of new development?
- Is the Preferred Strategy consultation paper supported by a sufficient level of evidence?
- Will the consultation be undertaken in accordance with relevant regulations?
- What are the risks associated with not delivering the Replacement Local Development Plan in accordance with the Delivery Agreement?

## Section B – Supporting Information

### 5 Supporting Information

5.1 Background research that may help the Committee includes:

- [Development Plans Manual ed 3](#)
- [Planning Policy Wales ed 11](#)
- [Future Wales: the National Plan 2040](#)
- [The Town and Country Planning \(Local Development Plan\) \(Wales\) Regulations 2005](#)
- [The Town and Country Planning \(Local Development Plan\) \(Wales\) \(Amendment\) Regulations 2015](#)

### 6 Links to Council Policies and Priorities

6.1 The Local Development Plan (LDP) is one of the statutory plans the Council has to prepare. The current LDP determines Newport's land use policies to 2026. The Preferred Strategy provides a chapter on national, regional and local context. This section outlines the Council's policies, strategies and priorities, bringing up to date and building upon the RLDP Review Report published in 2021. In summary, since the LDP's adoption in 2015 there have been a number of significant changes to Council policy which will be of relevance to the RLDP, particularly the Corporate Plan and the Organisational Climate Change Plan.

6.2 The primary objective of the Corporate Plan is '*a fairer, greener, ambitious Newport for everyone*' and whilst this is not at odds with the aims of the current LDP, a new LDP will help us to better align the four principles: Fair and Inclusive; Empowering; A listening council; and Citizen Focussed within the strategy. As a key document outlining the issues and aspirations of the Council this needs to be reflected in a revised LDP. In addition, there are numerous Council strategies and policies that will influence the LDP e.g. Flood Risk Management Plan, Destination Management Strategy, Economic Growth Strategy. A full appraisal of council plans and strategies can be found in Chapter 2 and Appendix 5 of the Preferred Strategy paper and indicates how the Preferred Strategy, particularly the issues, vision and objectives, is informed by current Council policies and priorities.

### 7 Impact Assessment:

- **Wellbeing of Future Generation (Wales) Act**
- **Equality Act 2010**
- **Socio-economic Duty**
- **Welsh Language (Wales) Measure 2011**

7.1 As part of the RLDP work an Integrated Sustainability Appraisal is undertaken. This fulfils the requirements and duties for:

- Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA),
- Equalities Impact Assessment (EqIA),

- Health Impact Assessment (HIA),
- Welsh Language Impact Assessment (WLIA), and
- Well-being of Future Generations (WBFNG).

- 7.2 The aim of the ISA is to inform and influence the plan-making process with a view to avoiding and mitigating negative impacts and maximising positive impacts. By undertaking this process, the Council can be confident that the RLDP will be prepared in a manner which clearly considers its impact on these aspects of fairness and equality. The engagement at each stage is undertaken in line with the agreed Community Involvement Scheme (set out in the approved Delivery Agreement) as approved by Full Council and Welsh Government.
- 7.3 An FEIA has not been undertaken for this specific piece of work as the RLDP process incorporates an FEIA within its ISA process. In terms of the Well-being and Future Generations Act, there is a specific 'health and wellbeing' objective. Every policy/site introduced by the RLDP will need to consider how it will improve the health and wellbeing of residents within Newport and there are five more detailed questions that will need to be addressed.
- 7.4 Similarly with the Equality Act, socio-economic duty and Welsh language measures, the Vision, Issues and Objectives as informed by the ISA framework includes an objective entitled 'Equality, diversity and inclusion'. The objectives are explicit about the role of the plan in achieving this. In summary, the RLDP has a system of Integrated Sustainability Appraisal work that will go beyond that of an FEIA. Consequently, it is not considered necessary to undertake an FEIA in relation to this specific report.

## **8. Background Papers**

- [Replacement Local Development Plan Delivery Agreement](#)
- [Local Development Plan Review Report](#)
- [Integrated Sustainability Appraisal Non-Technical Summary](#)
- [The Essentials - Wellbeing of Future Generation Act \(Wales\)](#)
- [Corporate Plan 2022-27](#)
- [Socio-economic Duty Guidance](#)
- [Public Sector Equality Duty](#)
- [Welsh Language Measure 2015](#)

Report completed: 11<sup>th</sup> September 2023