

**Caerphilly County Borough
Local Development Plan
Examination**

Ty Penallta
Tredomen Park, Ystrad Mynach,
Hengoed. CF82 7PG
Telephone: 01443 866761
Email: LDPprogrammeofficer@caerphilly.gov.uk

Ms Rhian Kyte
Team Leader
Strategic & Development Planning
Caerphilly County Borough Council
Pontllanfraith House
Blackwood
NP12 2YW

My Reference: ED.2

Date: 12 November 2009

Dear Ms Kyte

Examination of Caerphilly County Borough LDP up to 2021 - Proposed Focussed Changes

From his initial appraisal of the submitted documents the Inspector wishes first to confirm with the Council that the Plan comprises 4 documents: the LDP Written Statement; Appendices to Written Statement; Proposals Map; and Constraints Map.

Second, the Inspector notes that the Council has put forward nineteen proposed Focussed Changes for him to consider as modifications to the Plan (FC01 to FC19 as set out in submitted document SB73). The Inspector also notes that these proposed Focussed Changes have been the subject of consultation ending on 4 November 2009, and that the representations received have been forwarded for consideration. Detailed consideration will be given to the proposed Focussed Changes as part of the Examination process. However, the Inspector wishes at this stage to draw the Council's attention to paragraphs 4.29 and 4.30 of *Local Development Plans Wales: Policy on Preparation of LDPs (December 2005)*. From this it is clear that the Council is required to explain why each change is being put forward and the evidence on which it is based, and indicate what the implications of any pre-examination changes are for the soundness of the Plan, covering the matters listed in paragraph 4.30. The Inspector sees that in a number of cases the Council's explanation and justification for the proposed Focussed Change is simply that it is in line with the Council Resolution of 15 September 2009. This plainly does not meet the requirements of Welsh Assembly Government policy guidance on the preparation of LDPs. More generally, the Inspector is concerned that a sufficiently rigorous and detailed assessment of each of proposed changes FC01 to FC19 against the matters contained in paragraphs 4.29 and 4.30, including in relation to the sustainability appraisal which underpins the Plan, is not apparent from submitted document SB73.

The Inspector intends to raise the matter of the proposed focussed changes and the level of explanation and evidence concerning the underlying planning rationale for these at the pre-hearing meeting to be held on 8 December 2009. If the Council wishes to draw the Inspector's attention to any additional material within its submitted evidence which it feels the Inspector may have overlooked, it is invited to do so within 7 days of the date of this letter.

Alwyn Nixon BSc (Hons), MRTPI - Planning Inspector

Barbara Prosser - Programme Officer

You are welcome to correspond in English or Welsh/Mae croeso I chi ysgrifennu yn Gymraeg neu Saseneg

As the Examination process progresses, the Inspector will need to consider the implications of the Council's proposed focussed changes for the soundness of the Plan, taking account of the Plan's overall consistency and strategy as well as of the sustainability appraisal. In relation to this, the Inspector notes that some of the proposed focussed changes concern significant site allocations which may well have implications for achieving the Plan's housing (including affordable housing), spatial and regeneration objectives and targets.

The Inspector also notes that the Council has provided, at Appendix 6 of the Consultation Report (document SB66) a schedule of other changes, in addition to the the proposed focussed changes, which the Council considers should be made to the Deposit Plan for reasons of clarity, conformity and to correct minor drafting errors. These other changes have not been publicised. Having scrutinised these changes, the Inspector considers that a number of these changes are not minor, and should be advertised as proposed focussed changes. This certainly applies to the proposed deletion of policies SP8, CW 1, CW 4 and CW 5, together with any explanatory text; and substantive changes to site allocations or the deletion of allocated sites. The majority of the other changes also go beyond mere editing corrections and are sufficiently substantive that publicity and an opportunity for representations as to any effect on soundness should be provided, if the Council wishes to pursue these. The Inspector's view is that this applies to all of the other changes in the Appendix 6 schedule apart from the following minor corrections:

- Single word change of "direct" to "attract" in paragraph 1.4 (nb reference to paragraph 1.33 is an error?).
- Single word change of "reserves" to "resources" in policy SP9 sub-paragraph A (but not the other more substantive changes to the policy also proposed).
- Proposal in relation to policy SP11, which does not appear to involve a change to the Plan.
- Change to supporting text in paragraph 2.23, which is a statement of opinion and does not alter the substance of the Plan.
- Correction of "quality" to "quantity" in paragraph 3.50 (supporting text to policy LE 4 - HOVRA).
- Correction of "quality" to "quantity" in paragraph 3.141 (supporting text to policy LE 4 - NCC).
- Correction of "quality" to "quantity" in paragraph 3.234 (supporting text to policy LE 4 - SCC).
- Proposals Map/policy NH3 designations - correction to remove SINC designations where these are shown outside the Plan area.
- Appendix A7 HG1.75 (although it appears from the proposals map that "northern" rather than "southern" is factually correct here, and so the correction is not needed).

The Inspector would expect these, and any other minor typographical or factual errors which the Council wishes to correct, to be presented in the form of a schedule of such corrections which the Council wishes to make. Given that purpose of the Examination is to determine whether the submitted Plan is sound (or if not, can be made so by binding recommendations which the Inspector is able to make), the Inspector will not make recommendations in relation to these minor error corrections (unless, exceptionally, he considers that a particular correction is needed in order to make the Plan sound), but instead will indicate whether he sees any difficulty with the Council proceeding with the minor changes proposed.

In passing, the Inspector would also draw the Council's attention to the following:

- Proposed change to CW9 - typographical error "one of more trees".
- Site NH3.136 & LE99.2 - proposal fails to specify a precise change to the text of the Plan.
- Council resolutions Bedwas Colliery site - proposal fails to specify a precise change to the text of the Plan.

The Inspector looks forward to the Council's early response to the points raised.

Yours sincerely

Programme Officer

