

**COUNCIL – 15 SEPTEMBER 2009**

SUBJECT: CAERPHILLY COUNTY BOROUGH DEPOSIT LOCAL DEVELOPMENT PLAN UP TO 2021: COUNCIL CONSIDERATION OF REPRESENTATIONS

REPORT BY: DIRECTOR OF THE ENVIRONMENT

1. PURPOSE OF REPORT

- 1.1 The purpose of this Report is to outline the representations made on the Deposit Local Development Plan and on the Alternative Sites Stage.
- 1.2 To provide an officer response and recommendations in respect of each of the issues raised through the statutory consultation exercises.
- 1.3 To report and consider the recommendations of the LDP Focus Group in respect of issues raised by elected members in the plan preparation process through the agreed Council procedures.
- 1.4 To outline representations received in respect of the Sustainability Appraisal and Strategic Environmental Assessment of the Deposit Local Development Plan.
- 1.5 To agree the Focused Changes as outlined in the Report.
- 1.6 To agree to the six-week public consultation in respect of the Focused Changes to the Deposit Local Development Plan agreed by the Council.
- 1.7 To outline the Update to the Sustainability Appraisal and the Strategic Environmental Assessment of the Deposit Local Development Plan.
- 1.8 To secure approval for the submission of the Local Development Plan to the Planning Inspectorate and the National Assembly.

2. SUMMARY

- 2.1 The Caerphilly County Borough Council Local Development Plan (LDP) provides the strategy and policy framework for the development and conservation of the County Borough for the fifteen-year period, from 2006 to 2021.
- 2.2 On 17th September 2008 Council approved the Caerphilly County Borough Deposit Local Development Plan for the purposes of a formal six-week public consultation process that was carried out in October/November 2008. A further consultation exercise in respect of the Alternative Sites submitted by interested persons and organisations during the Deposit Period was undertaken for a further six-week period carried out in February/March 2009. Consultation was carried out with a wide range of bodies, organisations and members of the public on each occasion.
- 2.3 Before the Council can submit the Local Development Plan to the National Assembly and the Planning Inspectorate for Examination, it must consider the representations made and agree any recommendations it wishes to make to the Inspector carrying out the Examination for changes to the Deposit LDP.
- 2.4 Acronyms used in the report:

LDP	Local Development Plan
SA	Sustainability Appraisal
SEA	Strategic Environmental Assessment
WAG	Welsh Assembly Government

- 2.5 A number of decisions now need to be made by the Council before the Deposit LDP is formally submitted to the Welsh Assembly Government and the Planning Inspectorate.

3. LINKS TO STRATEGY

- 3.1 The Deposit LDP embodies the land-use proposals and policies of the Council, including those contained in the Community Strategy and other strategic policy documents. The Unitary Development Plan (UDP) is currently the overarching land-use policy statement of the Council. This will be replaced by the LDP in due course.

4. THE REPORT

BACKGROUND

- 4.1 In September 2008 the Council approved the Caerphilly County Borough Deposit Local Development Plan as a basis for the statutory six-week public consultation exercise commencing on the 15th October 2008. A further consultation exercise in respect of the Alternative Sites submitted by interested persons and organisations during the Deposit Period was undertaken for a further six-week period commencing on the 28th January 2009. Consultation was carried out with a wide range of bodies, organisations and members of the public on each occasion.
- 4.2 Before the Council can submit the Local Development Plan to the National Assembly it must consider the representations made under Development Plan Regulations 18 (Deposit Stage) and 21(Alternative Sites Stage). It is worth noting that beyond an acknowledgement of receipt, the Council is not required to respond to individual representations although we can choose to do so. In line with the Delivery Agreement and for reasons of transparency, however, officers have provided a written response to the issues raised by all of the representations received during both of the public consultation exercises for consideration by Council.

REPRESENTATIONS TO THE DEPOSIT LDP AND ALTERNATIVE SITES STAGE

- 4.3 Altogether 1810 representations were received to the Deposit LDP from organisations, bodies and individuals, comprising 292 representations of support, 1413 representations of objection, and 53 representations containing comments. 52 representations were not duly made as they were submitted after the consultation deadline.
- 4.4 The Deposit consultation response included 10 petitions that were received in respect of 18 sites. The most notable of which was in respect of proposals for Bedwas Colliery with 2065 signatories, relating to the three Bedwas Colliery allocations.
- 4.5 Altogether 553 representations were received at the Alternative Sites Stage from organisations, bodies and individuals, comprising 110 representations of support 266 representations of objection and 155 representations containing comments. 22 representations were not duly made, being either submitted after the consultation deadline or related to a site not part of the Alternative Sites Consultation.
- 4.6 The Alternative Sites Stage consultation response realised one petition, with 30 signatories, relating to the proposed development of land at Pengam Road, Pengam (Alternative site E183).
- 4.7 There are five main areas of objection to the LDP as follows:

- Objection to the amount and location of sites for housing was a major source of observation both from those who wanted to see continued growth in the Southern and Northern Connections Corridors, and from those who consider that the LDP accommodates too much growth.
- Objection to specific allocations, principally to housing sites but also to other forms of land use including retailing facilities.
- Objection to specific protection designations both from those wanting to remove constraints to development, and from those wanting to increase protection for areas under development pressure.
- Objection from land owners, who proposed over 80 additional housing sites.
- Objection to the wording of policies or the reasoned justification for them.

4.8 In line with the Development Plan Regulations the Council are now required to consider the representations received in advance of submission of the LDP to the Planning Inspectorate for Examination, and agree any recommended changes it wishes to make.

REPRESENTATIONS TO THE SUSTAINABILITY APPRAISAL (SA) AND STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)

- 4.9 Altogether 36 representations were received to the SA/SEA from organisations, bodies and individuals, comprising 2 representations of support, 25 representations of objection and a further 8 representations containing comments. One representation was not duly made because it was submitted after the consultation deadline.
- 4.10 The Council are required to consider all consultation comments on the SA Report, and to consider the need for any changes. These might include for example additional information for the baseline, or new effects at local area level that had not previously been identified. Any resulting changes are indicated in Part 7 of the *Council Consideration of Representations Report- September 2009*.

REPORT STRUCTURE

4.11 Given the sheer volume of representations the *Council Consideration of Representations Report* has been structured for ease of reference as follows:

Executive Summary

Part 1: Key Issues Paper – Population & Housing

Part 2: Sites Specific Representations by electoral ward

Part 3: Policy Representations in Deposit Plan order

Part 4: Representations to the Deposit LDP and Alternative Site Stage that are Not Duly Made

Part 5: Legislative Changes

Part 6: Corrections

Part 7: Representations to the Strategic Environmental Assessment and Sustainability Appraisal (SA/SEA)

Part 8: Representations to the SA/SEA that are Not Duly Made.

OFFICER RECOMMENDATIONS

4.12 The Report identifies the issues raised in the consultation process, indicates the names of those who made representations, outlines all the representations made, provides the officer response to those representations, and makes recommendations to the Planning Inspector on each, together with a reason for that recommendation.

LDP FOCUS GROUP RECOMMENDATIONS

- 4.13 In line with the procedures agreed by Council in November 2008, a series of meetings was held in March and April 2009 to enable Members to voice any concerns regarding issues raised through the consultation exercises into the Deposit LDP. Members were asked to consider the representations made in respect of their ward and make comments as appropriate. Many Members took the opportunity to reiterate comments they had made previously
- 4.14 The LDP Focus Group (refer to Appendix 1 for membership of the LDP Focus Group) considered all of the representations raised by Members at their meetings on the 5th May and the 3rd June 2009, together with the draft officer response on those issues. Where the draft officer recommendation was contrary to the views expressed by the ward members, they were invited to address the LDP Focus Group at two meetings scheduled for the 3rd and 4th June 2009 to outline any outstanding concerns. A total of 12 ward members addressed the LDP Focus Group (refer to Appendix 1 for details). Minutes of the LDP Focus Group meeting are attached as Appendix 2.
- 4.15 The **LDP Focus Group Recommendations** are contained within the main body of the Report of Consultation underneath the **Officer Recommendations** for Council's consideration. However it is important to note that the Council is the decision making body in respect of all of the issues raised.

COUNCIL CONSIDERATION OF REPRESENTATIONS

- 4.16 This Report is necessarily very lengthy because consideration must be given to all representations 'duly made' in accordance with the regulations. Some representations have not been included in the Report because they did not relate to the Plan or to the SA/SEA and so are not 'duly made'. Some representations were made after the end of the prescribed and properly advertised statutory six-week consultation periods and so are not 'duly made' either. However, these late representations may express legitimate concerns about aspects of the Plan, and so that the Council is made aware of the issues raised in those objections in addition to those 'duly made', they are included in Part 4 of the Report.

NEXT STEPS

PUBLIC CONSULTATION IN RESPECT OF FOCUSED CHANGES TO THE DEPOSIT LDP

- 4.17 At present guidance on making formal changes to the LDP after the deposit stage is contained in *LDP Wales* at paragraph 4.29 and at section 7.6.3 of the *LDP Manual*; the late changes referred to in the guidance are considered to be appropriate only exceptionally and where necessary.

Paragraph 4.29 states:

"Authorities should not propose formal changes to the deposited LDP prior to examination.Where, exceptionally, late changes are deemed necessary (including, for example, as a result of major economic activity such as a major employer closure or where the authority has determined that deposit representations require a fundamental change), the authority must explain why the change is being put forward and the evidence on which it is based....."

- 4.18 Notwithstanding this guidance, the Welsh Assembly Government together with colleagues in the Planning Inspectorate have given further consideration on how best to deal with changes that a local planning authority considers appropriate to make to the advertised deposit LDP, following consideration of responses received during statutory public consultation. As a result the Chief Planner of WAG issued a circular letter in May 2009 (ref CL-01-2009), which provided important guidance on procedure for advertising focused changes to the Deposit LDP.
- 4.19 This guidance recognises that in considering representations received to the Deposit LDP, the Council may consider that certain changes would be appropriate to ensure that the LDP is sound. WAG indicate that this should be an extremely limited number of **focused changes**

that reflect key pieces of evidence but **do not go to the heart of the plan**, affecting only limited parts of it. It is important to note that the WAG continue to advise that changes after deposit should be avoided wherever possible and that local planning authorities should only place plans that are considered to be sound on deposit.

- 4.20 In order for the Planning Inspector to be able to incorporate any such focused changes desired by the Council in the binding Report it is considered essential that satisfactory consultation has been undertaken and that the focused changes are in accordance with the Sustainability Appraisal and Strategic Environmental Assessment. WAG therefore advises that when the Council submits its Deposit LDP for examination, we should also advertise a six-week public consultation exercise in respect of the **Addendum** to the Deposit LDP setting out the focused changes that we would wish to make. For clarity and expediency the addendum is required to show the new/revised policies and text, together with the reasoning for the changes.
- 4.21 The addendum and associated publicity material should make it clear that this is **not an opportunity for representors to add to their original representation**. The addendum will form part of an important package of documents submitted to the Assembly Government and the Planning Inspectorate with the Deposit LDP for Examination.
- 4.22 The Council will be responsible for collating the responses it receives from the public to the published Focused Changes Document and for forwarding these responses directly to the Planning Inspector. Procedurally the Council are not required to respond to the responses received at this stage.
- 4.23 The WAG has advised that National Planning Guidance will be amended in due course to take account of the advice contained in circular letter CL-01-2009.

ADDENDUM TO THE DEPOSIT LDP

- 4.24 An **Addendum to the Caerphilly County Borough Deposit LDP** will therefore be produced. Further to the consideration of the representations on the LDP by Council copies of the document will be sent to members for information.

SUSTAINABILITY APPRAISAL / STRATEGIC ENVIRONMENTAL ASSESSMENT

- 4.25 Where the Council wishes to pursue Focused Changes to the Deposit LDP it is important to determine what effect (if any) those changes would have in terms of the Sustainability Appraisal and Strategic Environmental Assessment of the Deposit LDP. A report entitled *SA/SEA of Focused Changes to the Deposit LDP* has been produced and is available in the Member Resource Centre.

STATUS OF THE FOCUSED CHANGES

- 4.26 The Focused Changes suggested by the Council at this stage do not constitute formal changes to the plan. They will only be implemented if they are agreed by the Inspector in his/her Report.

UPDATING THE CONSULTATION REPORT

- 4.27 As an integral part of the plan preparation process the Council are required to update the '*Caerphilly County Borough Local Development Plan: Deposit Plan - Initial Consultation Report*' that was reported to Council on the 17th September 2008.
- 4.28 The '*Consultation Update Report*' will summarise the representations made at the deposit stage and the alternative site stage and will include a list of any proposed Focused Changes to the plan suggested by respondents with which the Council agrees as a consequence of this meeting. This is a factual document that will be produced by officers and submitted to the Planning Inspectorate in due course.

SUBMISSION AND INDEPENDENT EXAMINATION

- 4.29 Further to consideration of representations received by the Council the next stage in the process is the formal submission of the Deposit LDP and accompanying documents to the Assembly Government and to the Planning Inspectorate.
- 4.30 The Council are required to ensure that the LDP is 'sound' when submitted to the Planning Inspectorate for Examination. The criteria for assessing soundness are detailed in Appendix 3.
- 4.31 Once the Council has submitted the Deposit LDP and all relevant documentation to the Planning Inspectorate, an Independent Inspector will be appointed on behalf of the Assembly Government to examine the Plan. Mrs Barbara Prosser, has been appointed as the Programme Officer who will be responsible for the day-to day arrangements and running of the Examination.
- 4.32 In line with Caerphilly (Council Approved) Delivery Agreement May 2006 (as amended 2009), the aim is to submit the Deposit LDP to the Planning Inspectorate in October 2009. The Council's agreement to do so is now sought.

5. FINANCIAL IMPLICATIONS

- 5.1 The costs involved in the production of the Deposit LDP, and in carrying out the public consultation on the plan, are necessarily incurred in carrying out the statutory procedures governing the preparation of a Local Development Plan.

6. PERSONNEL IMPLICATIONS

- 6.1 None

7. CONSULTATIONS

- 7.1 All comments received have been incorporated in this report.

8. RECOMMENDATIONS

- 8.1 That the representations made to the Deposit Local Development Plan received during the statutory six-week Deposit Period be submitted to the Inspector for consideration at the Examination
- 8.2 That the representations made to the Alternative Sites Stage received during the statutory six-week Period be submitted to the Inspector for consideration at the Examination
- 8.3 That the Council considers the Officer Response, the Officer Recommendation and the LDP Focus Group Recommendation (where applicable) to the representations.
- 8.4 That the Council consider each of the issues raised through the statutory consultation exercises and determines the specific recommendation to go forward to the Planning Inspector.
- 8.5 That the specific recommendations made in respect of representations received to the Sustainability Appraisal and Strategic Environmental Assessment of the Deposit Local Development Plan be approved.
- 8.6 That the Update to the Sustainability Appraisal and the Strategic Environmental Assessment of the Deposit Local Development Plan be agreed.
- 8.7 That a six-week public consultation take place in respect of the Focused Changes to the Deposit Local Development Plan arising as a result of the Council consideration of the representations.

8.8 That the Local Development Plan be submitted to the Planning Inspectorate and the National Assembly for Examination.

9. REASONS FOR THE RECOMMENDATIONS

9.1 To facilitate the preparation of the Caerphilly County Borough Local Development Plan in accordance with planning guidance and regulations.

10. STATUTORY POWER

10.1 The Council as local planning authority has a statutory duty to take these actions under the Town and Country Planning Acts and associated Regulations and Guidance.

Author: Rhian Kyte (kyter@Caerphilly.gov)

Consultees: Cllr. Rob Gough, Cabinet Member for Transportation and Planning
Stuart Rosser, Chief Executive
Anthony O’Sullivan, Director for the Environment
Nigel Barnett, Director of Corporate Service
Sandra Aspinall, Director of Education
Albert Heaney, Director of Social Services

Pat Mears, Chief Planning Officer
Roger Tanner, Group Manager, Strategic Planning and Urban Renewal
Dan Perkins, Chief Legal Officer
Terry Shaw, Head of Engineering Services
Peter Gomer, Head of Lifelong Learning and Leisure
Bledwyn Hopkins, Head of Planning & Strategy
Chris Francis, Sheltered Housing Officer
Phil Evans, Head of Communications, Information and Technology
Phil Davy, Head of Economic Development, Tourism & European Affairs
Mark Williams, Head of Public Services
Robert Hartshorn, Head of Public Protection
Colin Jones, Head of Performance Management
Jane Roberts-Waite, Regeneration Co-ordinator
Paul Cooke, Sustainability Co-ordinator & Living Environment Partnership Co-ordinator
Dave Lucas, Principal Planner Responsible for SA/SEA
Phil Griffiths, Principal Planner Responsible for SA/SEA

Background Papers:

Sustainability Appraisal /Strategic Environmental Assessment
SA/SEA of Focused Changes to the Deposit LDP

Supplementary Papers to Background Paper 4 Waste

- BP4Supplementary Paper 1: Operational Arrangements
- BP4Supplementary Paper 2: Land Availability

Supplementary Papers to Background Paper 6 Population and Housing

- BP6 Supplementary Paper 1: WAG 2006 Based Population & Household Projections
- BP6 Supplementary Paper 2: Housing Site Categorisation Exercise

- BP6 Supplementary Paper 3: housing Land Supply
- BP6 Supplementary Paper 4: Affordable Housing Viability Assessment
- BP6 Supplementary Paper 5: Affordable Housing Targets

Supplementary Paper to Background Paper 8 Retailing

- BP8 Supplementary Paper 1: Updated Retail Demand / Supply Calculations

List of Attendees at the Member Seminars (March/April 2009)

Cllr. Lyn Ackerman
Cllr. Harry Andrews
Cllr. Alan Angel
Cllr. Kath Baker
Cllr. Phil Bevan
Cllr. Roger Bidgood
Cllr. David Carter
Cllr. Jim Criddle
Cllr. Wynne David
Cllr. Michael Davies
Cllr. Ray Davies
Cllr. Tudor Davies
Cllr. Rob Gough
Cllr. Phyllis Griffiths
Cllr. David Hardacre
Cllr. Graham Hughes
Cllr. Ken James
Cllr. Stan Jenkins
Cllr. Vera Jenkins
Cllr. Gerald Jones
Cllr. Jan Jones
Cllr. Keith Lloyd
Cllr. Colin Mann
Cllr. Gaynor Oliver
Cllr. David Poole
Cllr. Denver Preece
Cllr. Dianne Price
Cllr. Allan Pritchard
Cllr. Judith Pritchard
Cllr. Kay Presley
Cllr. Dave Rees
Cllr. Les Rees
Cllr. Keith Reynolds
Cllr. Keith Smallman
Cllr. Betty Toomer
Cllr. Lindsay Whittle
Cllr. Allen Williams
Cllr. Linda Williams
Cllr. Tom Williams

Apologies from:

Cllr. Elizabeth Aldworth –declaration of interest
Cllr. Anne Blackman
Cllr. Hefin David - declaration of interest
Cllr. Ron Davies - due to position as member of the LDP Focus Group
Cllr. John Evans
Cllr. Colin Hobbs - due to position as member of the LDP Focus Group
Cllr. Lynne Hughes
Cllr. Malcolm Parker - represented by Cllr Criddle
Cllr. Jonathan Wilson

List of Attendees at the LDP Focus Group Meetings (May/June 2009)

Members of the LDP Focus Group

Cllr. Rob Gough Chairman of the LDP Focus Group & Cabinet Member for
Transportation and Planning

Cllr. Lyn Ackerman Cabinet Member for Living Environment & Housing
Cllr. Harry Andrews Leader of the Majority Opposition
Cllr. Phil Bevan Cabinet Member for Education & Leisure
Cllr. Jim Criddle Vice Chair of Planning Committee
Cllr. Ron Davies Cabinet Member for Regeneration & Countryside
Cllr. James Fussell Chair of Planning Committee
Cllr. Colin Hobbs The nominated Member representing the Independents
Cllr. Vera Jenkins The nominated Female Member
Cllr. Lindsay Whittle Leader of the Council

Members that made Representation to the LDP Focus Group (June/July 2009)

Cllr. Lyn Ackerman also spoke to the Group as a Ward Member
Cllr. Phil Bevan also spoke to the Group as a Ward Member
Cllr. Anne Blackman
Cllr. Ray Davies
Cllr. James Fussell also spoke to the Group as a Ward Member
Cllr. David Hardacre
Cllr. Graham Hughes
Cllr. Keith Lloyd
Cllr. Gaynor Oliver
Cllr. Allan Pritchard
Cllr. Judith Pritchard
Cllr. Dave Rees

**LOCAL DEVELOPMENT PLAN FOCUS GROUP
EIGHTH MEETING (OVER TWO DAYS)**

10.00 am Wednesday 3rd June & 9:30 am Thursday 4th June 2009
The Rhymney Room, Ty Penallta

Revised Draft Meeting Minutes

Focus Group Members Present on the 3rd were:

Cllr. Lyn Ackerman	Cabinet Member for Living Environment & Housing
Cllr. Harry Andrews	Leader of the Majority Opposition
Cllr. Phil Bevan	Cabinet Member for Education & Leisure
Cllr. Jim Criddle	Vice Chair of Planning Committee
Cllr. Ron Davies	Cabinet Member for Regeneration & Countryside
Cllr. James Fussell	Chair of Planning Committee
Cllr. Rob Gough	Chairman of the LDP Focus Group & Cabinet Member for Transportation and Planning
Cllr. Colin Hobbs	The nominated Member representing the Independents
Cllr. Vera Jenkins	The nominated Female Member
Cllr. Lindsay Whittle	Leader of the Council

Tim Broadhurst	(representing Head of Information, Communication & Technology)
Bleddyn Hopkins	Head of Planning and Strategy, Education & Leisure
Rhian Kyte	Team Leader, Strategic & Development Plans, Planning
Pat Mears	Chief Planning Officer
Terry Shaw	Head of Engineering Services
Clive Campbell	(accompanying Head of Engineering Services)
Dave Whetter	(accompanying Head of Engineering Services)

Also present were Ward Members to make their case to the Focus Group:

Cllr. David Hardacre
Cllr. Graham Hughes
Cllr. Keith Lloyd
Cllr. Gaynor Oliver
Cllr. Allan Pritchard
Cllr. Judith Pritchard
Cllr. Dave Rees
Cllr. Lyn Ackerman also spoke to the Group as a Ward Member
Cllr. James Fussell also spoke to the Group as a Ward Member

Apologies for the 3rd were received from:

Cllr. Les Rees	Member for the Majority Opposition
Cllr. Colin Mann	Deputy Leader and Cabinet Member For Finance, Resources and Sustainability
Paul Cooke	Team Leader, Sustainable Development & Living Environment Partnership
Phil Davy	Head of Economic Development, Tourism & European Affairs
Phil Evans	Head of Information, Communication & Technology
John Rogers	Principal Solicitor for Planning, Land & Highways
Adrian Williams	Assistant Director, Resourcing & Performance, Social Services
Mark Williams	Head of Public Services

WELCOME

- 1 Cllr. Gough welcomed all to the eighth meeting of LDP Focus Group and asked for approval for non-member officers to remain in the meeting. The group gave its approval for this.

PROCEDURAL ISSUES

Minutes of the last meeting:

- 2 The minutes of the seventh Focus Group Meeting held on the 5th May 2009 were agreed as an accurate record of the meeting.

DEPOSIT PLAN SESSION

Confidentiality

- 3 The officer reports that were subject of consideration at the Focus Group meeting may be subject to minor amendment as a result of work ongoing for the Council meeting on 15th September and in this context they are in Draft format. The Focus Group Members were advised that all recommendations contained within this report are strictly confidential at this time.

Purpose of the Meeting

- 4 The first purpose of the meeting was for the Focus Group to continue to make recommendations to Full Council in respect of those issues where there is conflict between officer recommendation and the views expressed by Ward Members. The second part of the meeting was devoted to those individual ward members who disagreed with officer recommendations and therefore wished to persuade the Focus Group to reverse their agreement with said recommendation to be communicated with Special Council.

Outstanding Ward Issues requiring Focus Group approval

- 5 Rhian Kyte reminded the Focus Group that there were a number of Ward issues which could not be aired at the previous meeting in May. A second report was presented that contained officer recommendations on these further site issues which had been raised by Councillors during the formal consultation exercises, and during the Member Briefing Seminars in March / April 2009. In order for the Focus Group to gain an understanding of other representors' views, the site-specific reports once again also contained the representations made by other interested parties / individuals on the same site.

- 6 The Focus Group were to treat these extra items in exactly the same way as the ones which had been considered at the May meeting. Ward Members had been advised in advance where the officer recommendations in this second report were to go against their representations. This had allowed them to request that they be heard at this Focus Group meeting.

Clarity Sought over Members Declaration of Interest

- 7 Before discussion on the sites representations began, Cllrs. Ron Davies and Phil Bevan asked for clarification on the need to declare an interest in particular issues. There was discussion of why it was important for Ward Members to be able to represent the views of their constituents. Cllr. Gough was of the view that only pecuniary interest need be registered.

DECISIONS MADE BY THE FOCUS GROUP

- 8 Prior to going through the officer recommendations for the Ward issues in the second report Cllr. Ron Davies wanted assurance that potentially controversial issues would be flagged up by officers because Focus Group Members were not going to be familiar with every site. This assurance was given to the meeting. The Focus Group approved every officer recommendation in the second report but made the following comments with regard to particular sites:

Crumlin Ward

- 9 E143 - Abertillery District Hospital Site, Aberbeeg – Cllrs. Vera Jenkins and Lyn Ackerman supported the recommendation. Cllr. Harry Andrews wondered whether redundant sites such as this should be returned to their original state, but Pat Mears reminded the meeting that in this case the Hospital was a Listed Building.

Llanbradach Ward

- 10 CF1.22 - Pencerrig Street, Llanbradach – The public support for the allocation was noted, although because the Local Health Board had not formally selected the site, it was also realised that the site owners might seek housing consent in the meantime.

Maesycwmmmer Ward

- 11 TR99.3 - Maesycwmmmer By-Pass – Cllr. Lindsay Whittle raised a discussion about the eventual need to deal with the congestion on the A472 at Maesycwmmmer.

WARD MEMBER ISSUES (IN HEARING ORDER):

Hengoed Ward

- 12 D61 - Land off Penallta Road, Ystrad Mynach
Cllr Judith Pritchard spoke in favour of designating this unallocated land within the settlement boundary for allotment use, i.e. for formal leisure purposes. A local survey had established there was local demand for allotment plots. Information was needed from Leisure Services in order for grant funding to be made available. Leisure Services is carrying out a borough-wide survey but this is not yet complete. Cllrs. Lindsay Whittle, Harry Andrews, Ron Davies, and Colin Hobbs all spoke in favour of the amendment.

RECOMMENDATION:

- 1. That the officer's recommendation be rejected.**
- 2. That the LDP Focus Group support for the Ward Member's amendment to be referred to Special Council.**

Crumlin Ward

- 13 LE99.16 - Old Landfill Site, Hafodyrynys Hill
Cllr. Keith Lloyd argued that there was a lack of leisure land available for the benefit of the community and asked for the land to be allocated for leisure use. He described the land as in public ownership whereas the site identified by officers was privately owned. At this point it became apparent that there might be confusion over the location of the site and the discussion was deferred to clarify matters.

RECOMMENDATION: Decision deferred.

Penmaen Ward

- 14 HG1.26, LE99.13 – Land to the rear of Brynhoward Terrace, Oakdale
Cllr. Lyn Ackerman, having read the officer report on this issue, stated that she was now happy with the officer recommendation.

RECOMMENDATION: That the officer's recommendation be agreed and referred to Special Council with the support of the LDP Focus Group.

St. Cattwg Ward

- 15 LE99.5 – Land adjacent to Haulwen Road, Penpedairheol
LE99.6 – Land off Berllanlwyd Street, Penpedairheol

Cllr. Graham Hughes spoke in favour of allocating these sites for informal open space because they were viewed as such by the residents. He added that part of one of the sites was a village green. Rhian Kyte explained that the Criterion Policy CW10 was sufficient to protect these sites from development. The village green designation has its own protection and doesn't need another layer of protection. Rhian Kyte added that Supplementary Planning Guidance on open space (SPG) would be prepared in due course.

RECOMMENDATION: That the officer's recommendation in respect of both sites be agreed and referred to Special Council with the support of the LDP Focus Group.

Darren Valley Ward

- 16 TM99.5 – Parc Cwm Darren

Cllr. David Hardacre spoke about the need to designate the Country Park for Tourism as well as for Leisure. This would allow grant aided development to go ahead, such as the abandoned proposal for a youth hostel. He considers that there is too much emphasis on conservation at the expense of tourism, unlike Bryn Bach Parc where the LDP designates a tourism proposal. Rhian Kyte explained that the Country Park management regime places tourism as a secondary objective behind ecological protection, and unlike Bryn Bach Parc there was no tourist development proposal to be allocated. It was suggested that there might be some adjustment to policy wording to accommodate tourism more explicitly.

RECOMMENDATION:

1. **That an adjustment to the relevant policy wording be sought which accommodates tourism.**
2. **That an amended policy that makes reference to Tourism related activities be agreed and referred to Special Council with the support of the LDP Focus Group**

Penmaen Ward

- 17 SB99.29 – Site at Llwyn Onn Crescent, Oakdale

Cllr. Allan Pritchard objected to the minor alteration to the settlement boundary. He considered it an encroachment into the countryside in an area where community facility provision was lagging behind recent house building. Rhian Kyte explained that the revised boundary merely reflected planning consent already granted for residential purposes.

RECOMMENDATION: That the officer's recommendation be agreed and referred to Special Council with the support of the LDP Focus Group.

Pontlottyn Ward

- 18 HG1.7 – Land at former Depot south of Pontlottyn Link Road

Cllr. Gaynor Oliver has objected to the proposed amendment to the boundary of this allocated housing site. She told the group that originally this site was an old shale tip before becoming a Highways Depot and now a pallet yard. She was worried about the height of the pallet stacks and about a road closure. However, it was indicated that the boundary amendment would allow reclamation of the site prior to its redevelopment and this would result in an improved outcome.

RECOMMENDATION: That the officer's recommendation be agreed and referred to Special Council with the support of the LDP Focus Group.

Pontlottyn Ward

19 SB99.58, E95 - Land at the rear of Southend Terrace

Cllr. Gaynor Oliver spoke in favour of allocating this land as a housing site for 4 units because she believed that land release would facilitate the creation of a back lane which would ease traffic conditions in the locality. Cllrs. Lindsay Whittle and Harry Andrews both welcomed the possibility of creating a back lane if it could be achieved. However, Terry Shaw alluded to the construction costs involved and that the practicalities were not yet ascertained.

RECOMMENDATION: That the officer's recommendation be agreed and referred to Special Council with the support of the LDP Focus Group.

Crumlin Ward

20 E31 – Land at Pendinas Avenue Croespenmaen

Cllr. Keith Lloyd requested that this land be allocated for informal open space. Rhian Kyte explained that it was considered that the Criterion Policy CW10 was sufficient to protect the sites from development and that SPG on open space would be prepared in due course.

RECOMMENDATION: That the officer's recommendation be agreed and referred to Special Council with the support of the LDP Focus Group.

Crumlin Ward

21 EM1.7, SI99.1 – South Extension Penyfan

Cllr. Keith Lloyd was concerned that the officer recommendations for changes to the Deposit Plan did not go far enough. It is recommended that the designation of the site for employment use is deleted and the land excluded from the settlement boundary. Cllr. Lloyd had wanted it protected as a green wedge as well. It was explained that the site did not fit the green wedge concept, but that its exclusion from the settlement boundary placing it into the open countryside was sufficient protection. Cllr. Lloyd accepted this argument.

RECOMMENDATION: That the officer's recommendation be agreed and referred to Special Council with the support of the LDP Focus Group.

Crumlin Ward

22 LE3.5 – Penyfan Pond Croespenmaen

EM2.10 – Penyfan Industrial Estate

Cllr. Keith Lloyd spoke in favour of designating a small area of undeveloped land at the north end of Penyfan Industrial Estate for leisure purposes instead. However, there was confusion over the extent of the land being considered as Cllr. Lloyd was not talking of the area with consent for a Hotel.

RECOMMENDATION: Decision deferred.

Cross-boundary – Newbridge, Abercarn, Crosskeys, Risca West, and Risca East Wards

23 NH3.136 – Crumlin Arm of Monmouthshire / Brecon Canal

LE99.2 - Crumlin Arm of Monmouthshire / Brecon Canal

Cllr. David Rees described the Crumlin Arm of Monmouthshire / Brecon Canal as potentially a tourism gem but so much more could be done to promote it for this purpose. He considers that the conservation management has gone too far, and it should not apply to the towpath itself where the grass should be kept short. He believes it was a mistake for the canal to be designated a SINC. Rhian Kyte indicated that the management plan for the canal should be able to balance the needs of Tourism Leisure and Conservation together. Cllr. Lyn Ackerman wanted to know

whether the management regime employed this year was to continue. Cllr. Andrew argued that it would be necessary to establish a balance between the functions but continue to cut the grass for users on the towpath. Cllr. Phil Bevan said Health & Safety considerations should come first. Cllr. Ron Davies indicated that the existence of the SINC had to be acknowledged and perhaps a designation along the canal for Tourism as well might be the solution. Cllr. David Rees was still concerned that the SINC designation might be used as an excuse to cut management costs by letting the grass grow again. Dave Whetter indicated that the management plan this year was now working correctly and that it would continue to be applied in this form.

RECOMMENDATION: That the officer's recommendation be agreed and referred to Special Council with the support of the LDP Focus Group.

St. Martin's Ward

24 LE99.4 - Land to the south of Caerphilly Miners Hospital

Cllr. James Fussell was concerned over the loss of open space in this location and wondered whether this open area should be excluded from the housing allocation. Rhian Kyte explained that the best way forward would be a Masterplan for the whole site which would fully take into account the leisure needs and produce the best possible housing development layout. Cllr. James Fussell accepted this argument.

RECOMMENDATION: That the officer's recommendation be agreed and referred to Special Council with the support of the LDP Focus Group.

St. Martin's Ward

25 LE5.26 – Castle View Caerphilly

Cllr. James Fussell stated that he was now happy with the officers' advice as described in the report.

RECOMMENDATION: That the officer's recommendation be agreed and referred to Special Council with the support of the LDP Focus Group.

MEETING ADJOURNED

26 The meeting did not conclude the business of the agenda on the 3rd June and so the Chairman Cllr. Rob Gough announced that the meeting would reconvene for a second day on the 4th June at 9:30 am.

Focus Group Members Present on the 4th were:

Cllr. Lyn Ackerman	Cabinet Member for Living Environment & Housing
Cllr. Harry Andrews	Leader of the Majority Opposition
Cllr. Phil Bevan	Cabinet Member for Education & Leisure
Cllr. Jim Criddle	Vice Chair of Planning Committee
Cllr. Ron Davies	Cabinet Member for Regeneration & Countryside
Cllr. James Fussell	Chair of Planning Committee
Cllr. Rob Gough	Chairman of the LDP Focus Group & Cabinet Member for Transportation and Planning
Cllr. Colin Hobbs	The nominated Member representing the Independents
Cllr. Vera Jenkins	The nominated Female Member
Cllr. Lindsay Whittle	Leader of the Council
Tim Broadhurst	(representing Head of Information, Communication & Technology)
Stuart Burgess	(assisting Clive Campbell, for Head of Engineering Services)
Clive Campbell	(representing Head of Engineering Services)
Peter Gomer	Head of Lifelong Learning & Leisure

Bleddyn Hopkins	Head of Planning and Strategy, Education & Leisure
Rhian Kyte	Team Leader, Strategic & Development Plans, Planning
Dave Lucas	(assisting Rhian Kyte)
Pat Mears	Chief Planning Officer

Also present were Ward Members to make their case to the Focus Group:

Cllr. Anne Blackman (she also attended on the 3rd)
 Cllr. Ray Davies (he also attended on the 3rd)
 Cllr. Phil Bevan also spoke to the Group as a Ward Member

Apologies for the 4th were received from:

Cllr. Les Rees Member for the Majority Opposition
 Cllr. Colin Mann Deputy Leader and Cabinet Member For Finance, Resources and Sustainability

Paul Cooke Team Leader, Sustainable Development & Living Environment Partnership
 Phil Davy Head of Economic Development, Tourism & European Affairs
 Phil Evans Head of Information, Communication & Technology
 John Rogers Principal Solicitor for Planning, Land & Highways
 Terry Shaw Head of Engineering Services
 Adrian Williams Assistant Director, Resourcing & Performance, Social Services
 Mark Williams Head of Public Services

WARD MEMBER ISSUES (IN HEARING ORDER):

Bedwas, Trethomas and Machen Ward

27

- HG1.64 (Bedwas Colliery)
- CM99.1 (Bedwas Colliery – Supermarket Use)
- EM99.4 (Bedwas Colliery – Employment Use)
- LE99.18 (Bedwas Colliery Country Park Use)
- CF1.34 (Former Bedwas Colliery, Bedwas – New School)
- LE4.11 (Former Bedwas Colliery, Bedwas)
- TR7.3 (Bedwas Colliery Access Road)
- LE2.2 (Bedwas Community Park)

Cllr Ray Davies began by listing six main concerns over these allocations:

- 1) A passenger rail link to Newport is needed to ease road congestion. He understands that Newport City Council is going to protect their part of the line in case the Quarry closes. A park and ride facility at Trehir Quarry should be considered.
- 2) Traffic congestion will only worsen if the Bedwas colliery site is developed for housing.
- 3) He is against the development of industrial units at the site when adjacent industrial estates are underused.
- 4) A proper full sized Country Park is required in the area instead of housing development.
- 5) A land reclamation scheme is certainly needed to remove the risk of fires, erosion, safety concerns, etc.
- 6) The whole site should be designated for leisure use as a Country Park.

Rhian Kyte explained that the Deposit Plan proposed only housing, a school, associated leisure, a link road and a “Pocket Park”. Industrial units were not proposed; this was a proposal from a member of the public.

Cllr. Vera Jenkins asked about Newport's proposed Rail Link Policy. It would be proposed within their LDP, which is at an early preparation stage and raised with South East Wales Transport Alliance (SEWTA). David Lucas stated that responsibility for the consideration of the rail link lay with SEWTA and if suitable a proposal would become part of the Regional Transport Plan (RTP). However, at present this link was not a high priority. Clive Campbell added that it would be considered in the future, but a viable business case would be the required starting point. The present Rail Programme in the RTP is longer than five years and it doesn't appear in that. Cllr. Jim Criddle asked that if the local road network was already at capacity could officers advise whether the site could be given consent. Clive Campbell advised that the main problem was at the Bedwas roundabout onto the Caerphilly northern by pass, and such details could be resolved at the detail planning application stage. Cllr. Lindsay Whittle had sympathy for the rail proposal but the route may be difficult to re-instate. Homes have been built on the line in Machen, and this would need to be placed on the agenda now if it is to be pursued. However, overall he was happy to endorse the Plan Proposals for the site.

Cllr. Colin Hobbs was concerned about the road congestion outcome from development of the Cray Valley Paintworks site (Waterloo) as well as from the Bedwas Colliery site. It is possible the whole corridor of the A468 between the A470 and the M4 in Newport will be stressed. He was also concerned about the general loss of Greenfield sites / open spaces to development already locally. There is a need to know how bad conditions will become, and he is not convinced that a road scheme at Bedwas Bridge would be a solution to the whole problem. He was not convinced about the Park & Ride proposal and would need to consider the details in due course. While traffic on the A468 was now relatively free-flowing now that the Cray Valley trucks were gone, he considered that the Bedwas colliery site and the Waterloo site might both need second access points. If housing does go onto the Colliery site he has no doubt that a school will be needed but it is not yet appropriate for the details to be considered. Overall, he indicated that Councillors needed to consider the needs of the borough as a whole as well as be concerned about local representation. There is a responsibility for Councils to promote the development of brownfield sites first. Communities must continue to develop in order that they maintain their attractiveness to the younger generation and their facilities must be renewed. In this respect, the loss of green spaces within the communities has been irresponsible. However, he emphasised that the broader picture is that the Tips and dereliction must go and here was our opportunity to clear the site make it safe and create the necessary facilities.

Cllr. Ron Davies said he appreciated the need to maintain corporate responsibility but in the case of promoting the rail link he pointed out how successful the Ebbw Vale line had become and how it was considered silly at one time. He considered that only 5% to 10% of the line had been lost to development.

Cllr. Colin Hobbs argued that the site access road route had not yet been decided and that the Redbrook Woods were not at risk. Dave Lucas confirmed that this road would have to go between Trethomas and Graig y Rhacca and that there might be the need for land –take of some of the wood at the junction with the A468, but that this would be minimal.

In summing up Cllr. Lindsay Whittle restated his view that in his view the passenger rail link proposal should be investigated further.

RECOMMENDATION:

- 1. That the officer's recommendation be agreed and referred to Special Council with the support of the LDP Focus Group.**
- 2. Include a requirement in the plan to undertake an economic feasibility study into the proposed passenger rail link from Trehir to the main line at Newport.**

Nelson Ward

28 TR99.1 (Land at Llancaiach View, Nelson)

Cllr. Anne Blackman spoke in favour of designating a particular vacant site for a Park & Ride facility to complement the proposed passenger rail link to the Rhymney Valley line. She stated that this was needed to allow travellers to easily change mode of transport and encourage use of the rail link. If this site was not designated it would be developed for housing by its new owner and the opportunity for a Park & Ride would be lost. She said that Nelson had the potential to grow dramatically and needs all the urban facilities to match. In addition, the Rail link could be used by residents of surrounding communities as well, such as Treharris and Trelewis, and the Park & Ride proposal would assist this process. Dave Lucas confirmed that the British Rail residual body did offer the land to the Council but unfortunately it was put on the open market instead. It now has residential value and while being a sensible site for a Park & Ride facility in theory may not now be economic. Clive Campbell indicated that the rail link was not yet in the SEWTA programme and therefore its implementation was a remote possibility. As such, the scheme had not been examined in detail. Cllr. Jim Criddle asked for confirmation that alternative sites would be sought. It was indicated that there was potential elsewhere in the village but this would need to be established in due course. Cllr. Harry Andrews described it as an active (Mineral) line and which actually does have potential for a passenger service. He felt that SEWTA should look at this route. Cllr. Lindsay Whittle echoed his views.

RECOMMENDATION: That the officer's recommendation be agreed and referred to Special Council with the support of the LDP Focus Group.

Nelson Ward

29 TR99.2 (Nelson bypass)

Cllr. Anne Blackman spoke in favour of a Nelson By Pass, about the traffic conditions and the impact of the commuter traffic that would be generated once Ty Du is developed. A By Pass for Nelson had been in and out of development plans over the years and there had been significant development in the village and surrounding areas. The Bwl Road needed improvement and Shingrig Road was congested. Therefore a north –south By Pass was needed. Clive Campbell replied that the TA undertaken for Ty Du had shown that no new road was needed; and that road improvements would be sufficient. Because there were no other significant new developments proposed in the village there was no justification and no funding would be forthcoming as a result.

RECOMMENDATION: That the officer's recommendation be agreed and referred to Special Council with the support of the LDP Focus Group.

Morgan Jones Ward

30 HG1.68 / LE4.13 / CF1.28 (St Ilans Comprehensive, Caerphilly)

Cllr. Phil Bevan indicated that Ward Members support the residents' objections to this allocation. The woodland area within this large site is still a valuable green space even though it is no longer a SINC. Potential traffic generation is of concern for the Pontygyndy Road as is the linked problem of air quality. Another issue involves flood risk, and while a bund has been built, some areas are still at risk, although the

housing area is not affected. Cllr Bevan raised the issue of the environmental capacity of the area to accommodate any additional development at this location. Rhian Kyte explained that Environmental Capacity Studies are not required in Wales.

Cllr. Phil Bevan indicated that the Welsh Medium Educational capacity would need to be addressed. Bleddyn Hopkins agreed that extra Welsh Medium places would be needed from 2012 / 2013 onwards. Substantial expenditure would be needed to bring the buildings on the St. Ilans site up to standard for Welsh medium secondary purposes. The transfer of the two other schools would bring benefits, not least the poor facilities of YGG Caerffili. The Council will still face significant surplus secondary school places to be addressed. A 5 Case Business Model is required to secure WAG funding and the Welsh Medium School proposal on this site would not meet the surplus places rationalisation. In terms of access, the Welsh Medium School would mean more traffic and this would have to be assessed. Cllr. James Fussell argued that surplus school places would need to be rationalised across the board. Bleddyn Hopkins explained that the surplus places are borough-wide but principally in the Islwyn area, and Cllr. James Fussell felt that this was not the case in the Caerphilly Basin.

Cllr. Vera Jenkins asked about the air quality issue. Cllr. Lyn Ackerman referred to the area as failing in terms of air quality and requested advice on how this related to the site development. It was explained that Environmental Health advice was that the development of the site in isolation was considered acceptable. However, the air quality issues in the town as a whole still need to be addressed and that work in respect of the Air Quality Management Plan was underway. Clive Campbell indicated that detailed monitoring needed to be completed. The assumption is that the problems are caused largely by traffic and scenarios to overcome the problem need to be considered and are not yet established.

Cllr. Lindsay Whittle indicated that more education capacity would be needed as a result of the proposed development, and a review of education need is required. The surplus places are concentrated in the Mid Valleys east area. This site is vital to Welsh Medium provision and this would be the best solution for the area. The existing Fire Station and Ambulance Station nearby need good access through the local road network and more traffic generated by housing from this site will create more problems. He indicated that he supported Cllr. Phil Bevan's view on this issue, and mentioned that the St. Cenydd and St. Martins Schools were oversubscribed. Bleddyn Hopkins explained that extra provision had been put into St. Cenydd School already. Overall, places exist in the Basin Schools, but the two above named schools are the most popular.

Pat Mears advised the meeting that the type of school was not a planning issue, and the Deposit LDP proposals reflect the Council's decision. Having heard the Cllrs' arguments he recommended that the Focus Group consider a de-designation of the Deposit Plan allocations rather than commit to a particular alternative type of development.

Cllr. Harry Andrews spoke in support of the original scheme, arguing that it had widespread benefits, and that the alternative proposal might not be viable because extra money may not be forthcoming.

RECOMMENDATION: The Focus Group recommend to Special Council that the Deposit Plan allocations for the site be removed and the site be designated within the LDP as “white land”.

31 ITEMS DEFERRED FOR THE FOCUS GROUP CHAIRMAN TO PURSUE

The Focus Group agreed that Ward Members who raised the following items but could not attend this meeting should be given the opportunity to a hearing in front of the Chairman and Rhian Kyte. It was agreed that the minutes of those meetings would be reported back to the Focus Group Members by email for them to make their recommendations to Special Council.

Aberbargoed Ward - HG1.19 (Aberbargoed Plateau)

Bargoed Ward - HG1.22 (Park Estate, Bargoed)

Crumlin Ward - LE99.16 - Old Landfill Site, Hafodyrynys Hill

Crumlin Ward - EM2.10 (Penyfan Industrial Estate) & LE3.5 (Penyfan Pond)

The Next Steps

32 The Focus Group Meeting was designed to ensure that the consideration of issues raised by elected members was undertaken in an open and transparent manner. In this context the Focus Group does not have the final decision on these issues from the Council's perspective. The officer recommendations, together with the recommendations of the Focus Group, will be considered at a Special Meeting of Full Council starting on 15th September 2009.

33 After the Chairman has completed the hearings on the deferred items listed above, the minutes of those meetings will be reported back to the Focus Group Members by email for them to make their recommendations to Special Council.

34 Work is continuing with all the relevant service areas and relevant consultees in order to ensure that the report that is presented to Council on 15th / 16th and tentatively the 17th of September reflects all the facts as far as they can be ascertained and also as far as is practically possible the corporate response on each issue.

35 Officers will take advice from legal services as to the best practice to be employed to allow due discussion of the LDP to take place at the Special Council meeting in September while expediting the agenda in the most efficient manner.

**LOCAL DEVELOPMENT PLAN FOCUS GROUP
CHAIRMAN'S MEETING WITH WARD MEMBERS**

4.00 pm Wednesday 10th June 2009

11.00 am Wednesday 8th July 2009

at Ty Pontllanfraith

Draft Meeting Minutes

Focus Group Members present were:

Cllr. Rob Gough Chairman of the LDP Focus Group & Cabinet Member for
Transportation and Planning

Rhian Kyte Team Leader, Strategic & Development Plans, Planning

Ward Members present to make their case to the Chairman were:

Cllr. Keith Lloyd

Cllr. Vera Jenkins

Cllr. Keith Reynolds

Cllr. David Carter

Cllr. Tudor Davies

PURPOSE OF THE MEETINGS

1 The purpose of these meetings was to complete the business of the main Focus Group meetings held on 3rd and 4th June. That meeting was largely devoted to hearing those individual Ward Members who disagreed with officer recommendations on particular issues, and therefore wished to persuade the Focus Group to reverse their agreement with said recommendations to be communicated with Special Council.

2 Two matters raised by Cllr. Lloyd in the 3rd June meeting, which were deferred for clarification purposes, remained to be heard and debated. The Focus Group agreed that the debate on these matters should be completed in front of the Chairman at a later date. These issues were:

Crumlin Ward - LE99.16 – (Old Landfill Site, Hafodyrynys Hill)

Crumlin Ward - EM2.10 (Penyfan Industrial Estate) & LE3.5 (Penyfan Pond)

3 In addition, the Focus Group in that meeting had agreed that Ward Members who raised the following items but could not attend this meeting should be given the opportunity to a hearing in front of the Chairman.

Aberbargoed Ward - HG1.19 (Aberbargoed Plateau)

Bargoed Ward - HG1.22 (Park Estate, Bargoed)

4 It was agreed that the minutes of these meetings would be reported back to the Focus Group Members by email for them to make their recommendations to Special Council.

Crumlin Ward

5 LE99.16 - Old Landfill Site, Hafodyrynys Hill

In the main meeting there had been confusion over the precise location of the site in question. One is known as the "Old Rectory", and the other the "Old Landfill Site". Cllr. Keith Lloyd argued that there was a lack of leisure land available for the benefit of the community and asked for this publically owned land to be allocated for leisure use. He fears that if unprotected by such an allocation, the land might be taken over for some other use, such as caravan storage or horse riding for example. Rhian Kyte explained that while this site had a long history of leisure proposals, Leisure Services now wanted to concentrate local provision at Panside, which was to include formal pitches and changing rooms. Cllr. Lloyd and Cllr. Vera Jenkins both want to pursue the aim to have a leisure allocation for the site. They believe a formal facility is justified by the demand from local teams and hope grant aid will be

forthcoming. Since it is council owned land, Rhian Kyte suggested that another solution might be for one of the sporting groups to lease it and so protect it from other uses.

RECOMMENDATION: That the officer's recommendation be agreed and referred to Special Council with the support of the LDP Focus Group.

Crumlin Ward

6 LE3.5 – Penyfan Pond Croespenmaen

EM2.10 – Penyfan Industrial Estate

In the main meeting there had been confusion over the precise location of the site in question. It is now established that this land had been sold by the Council to the WDA in 1992. It was believed that they (DEIN in WAG) had now sold it on, because exploration works had been observed on the land recently. Cllr. Keith Lloyd had proposed that this site be deleted, because it suffered from many physical constraints in terms of developing it for industrial use. The proximity of the property called Pen y Coed Cae would require a buffer zone, so reducing the developable area. Other limitations to development would include retention of hedgerows, electricity pylons and a right of way crossing the site. Rhian Kyte explained that it might be irresponsible to recommend removal of the designation from the Plan now because someone may have bought the site recently in good faith for industrial use. The fact that this designation is currently in the UDP was also a pertinent factor in this regard.

RECOMMENDATION: That the officer's recommendation be agreed and referred to Special Council with the support of the LDP Focus Group.

Aberbargoed Ward

7 HG1.19 - Aberbargoed Plateau

Cllr. Keith Reynolds spoke against the housing allocation on the reclaimed Aberbargoed plateau. He recalled that at the time of the public consultation for the Bargoed Reclamation scheme that this area was designated part of the Country Park. It was only after the point when the broadly level plateau surface was created that the housing development was proposed. Since then 300,000 tonnes of material have been removed to the Bargoed retail plateau. His main issue is with the disproportionate number of houses that Aberbargoed is expected to provide compared with its present size. He believes that the allocation of land capable of accommodating approximately 700 units represents a 50% increase in the size of the village with all the detrimental impact on schools, health, and community facilities. Rhian Kyte explained that the LDP strategy targets the Greater Bargoed area specifically to revitalise the community with new development and facilities.

RECOMMENDATION: That the officer's recommendation be agreed and referred to Special Council with the support of the LDP Focus Group.

Bargoed Ward

8 HG1.22 - Park Estate, Bargoed

Cllr. Tudor Davies first discussed the planning status of this site. Rhian Kyte indicated that there was an error in the LDP Focus Report on 5th May 2009 which stated that planning permission had expired in 2003 when in fact it had expired in 2001. The last planning consent granted for housing development on the site in 1998 was actually in outline only. Cllr. Gough indicated he was mistaken when he stated during the Council Meeting last September that a planning application was awaiting determination on the site. He indicated to Cllr. Davies that he would take the opportunity to correct that statement at the Special Council meeting this September. Rhian Kyte explained that this confusion may have arisen as a result of reference to part of the site being a "Housing Commitment site" (HC 30) in the UDP. Obviously, over the timescale of a Development Plan, some planning consents can expire and then such terminology becomes misleading. Rhian added that she had sought to prevent this confusion for the LDP by avoiding use of the term.

Cllrs. Tudor Davies and David Carter began their case by referring to the demolition of the maisonettes having created more open space on the housing estate. This has led to improvements in community life and a reduction in problems such as anti-social behaviour. If more houses were constructed here now it would risk losing those gains and this would be a

retrograde step for the residents. They confirmed that they are totally opposed to built development on the site.

They indicated that the site is boggy and has never attracted interest from either the private or public housing sectors. The planning consent has expired and there has been no public support for the site through the LDP preparation process. The residents and the Town Council support its deletion. It is only the Council's officers who wish to retain it. There is no reason for the allocation and it is not wanted.

In response Rhian Kyte started by saying the final arbiter of a site's viability is the market. The UDP development strategy had been to encourage housing developers to move their operations northwards beyond the Caerphilly Basin. The LDP strategy is based more on settlement function. The large-scale investments, both public and private, in Bargoed were an important factor influencing the search for additional housing sites in the locality. Unfortunately, very few candidates presented themselves in Bargoed itself. This site complied with the LDP site search criteria and the fact that it is allocated in the UDP was also a pertinent factor. Rhian was of the view that private sector housing might further improve the estate while reducing the housing need requirement. However, this could only be delivered by the Council as land-owner and not through planning control.

On a point of accuracy, Cllr. David Carter indicated that the MUGA described as being in Bargoed Park is actually within Heolddu Comprehensive School's curtilage.

RECOMMENDATION: That the officer's recommendation be agreed and referred to Special Council with the support of the LDP Focus Group.

THE NEXT STEPS

- 9 These minutes will now be reported back to the Focus Group Members by email, accompanied by the reports on each issue, so that they may jointly make the Focus Group decisions on the recommendations to go to Special Council in September. Each Group Member will be asked for their opinion on each issue. If a Focus Group Member fails to respond it will be assumed that they support the status quo, i.e. the officer recommendation in each case. The Chairman of the Focus Group will only cast his vote if there is a tie in the vote.
- 10 The Focus Group Meetings in June were designed to ensure that the consideration of issues raised by elected members was undertaken in an open and transparent manner. In this context, the Focus Group does not have the final decision on these issues from the Council's perspective. The officer recommendations, together with the recommendations of the Focus Group, will be considered at the Special Meeting of Full Council starting on 15th September 2009.

The 10 Tests of Soundness

The soundness tests fall into three categories – **Procedural**, **Consistency** and **Coherence and Effectiveness**. They are numbered P1-2, C1-4 and CE1-4 respectively.

Procedural:	
Test P1	The LDP has been prepared in accordance with the Delivery Agreement (DA) including the Community Involvement Scheme (CIS).
Test P2	The LDP and its policies have been subjected to Sustainability Appraisal (SA) including Strategic Environmental Assessment (SEA).
Consistency Tests:	
Test C1	The LDP is a land use plan, which has regard to other relevant plans, policies and strategies relating to the area or to adjoining areas.
Test C2	The LDP has regard to national policy.
Test C3	The LDP has regard to the Wales Spatial Plan.
Test C4	The LDP has regard to the relevant Community Strategy/ies
Coherence and Effectiveness:	
Test CE1	The LDP sets out a coherent strategy from which its policies and allocations logically flow and, where cross boundary issues are relevant, it is compatible with the development plans prepared by neighbouring authorities.
Test CE2	The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust and credible evidence base.
Test CE3	There are clear mechanisms for implementation and monitoring
Test CE4	It is reasonably flexible to enable it to deal with changing circumstances.