

**DEPOSIT LOCAL DEVELOPMENT
PLAN UP TO 2021**

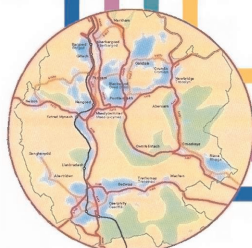
CONSULTATION REPORT

September 2009

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**CAERPHILLY COUNTY BOROUGH
LOCAL DEVELOPMENT PLAN UP TO 2021
CONSULTATION REPORT**

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1. Introduction

- 1.1 This document represents the **Consultation Report** that the Council is required to prepare for the purposes of Section 22 of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005.
- 1.2 In accordance with the Regulations, the Report identifies:
- (a) bodies engaged or consulted at the Pre-Deposit Participation, Pre-Deposit (i.e. Preferred Strategy and Strategic Options) Public Consultation, Deposit LDP Public Consultation, and Site Allocation Representations Public Consultation stages;
 - (b) a summary of the main issues raised in those engagements, consultations, and representations; and how these have been addressed in the LDP;
 - (c) the total number of representations received at the Preferred Strategy, Deposit LDP Public Consultation, and Site Allocation Representations Public Consultation stages;
 - (d) the Council's recommendations as to how it considers the main issues raised in the Deposit LDP Public Consultation, and Site Allocation Representations Public Consultation stages should be addressed in the LDP;
 - (e) the Council's recommendations as to how it considers each of the representations received in the Deposit LDP Public Consultation, and Site Allocation Representations Public Consultation stages should be addressed in the LDP; and
 - (f) any deviations from the Community Involvement Scheme contained in the Delivery Agreement.
- 1.3 In respect of (e) the Report notes that the detailed responses of the Council to the relevant individual representations made in the public consultation on the Deposit LDP Public Consultation, and Site Allocation Representations Public Consultation stages are included in the Report.

2. Compliance with the Delivery Agreement

- 2.1 The Caerphilly County Borough Council Delivery Agreement (DA), which guides the preparation of the Local Development Plan was formally agreed by Caerphilly County Borough Council and the Welsh Assembly Government (WAG) in May 2006. The DA commits the Council to producing the LDP according to the stated timescales laid down by the Timetable, and in accordance with the consultation processes contained within the Community Involvement Scheme (CIS) both of which are contained in the DA.

(a) Timetable

- 2.2 The Timetable contained in the DA up to the Deposit stage has been followed, but because of the work necessary following the consultation on the Preferred Strategy it was agreed to utilise the four months flexibility allowed for in the Timetable and delay the consultation on the Deposit LDP from April 2008 to Autumn 2008.³ The timetable in the DA for the stages of the plan preparation process after the Deposit LDP Consultation stage were indicative only. In line with Development Plan Regulations, on reaching Deposit stage, the Council agreed an updated timetable with WAG in May 2009, replacing the indicative timings outlined in the DA into definitive timing for the remaining stages of the plan preparation process.

(b) Community Involvement Scheme

- 2.4 The consultation processes contained within the Community Involvement Scheme (CIS) have been followed, with the minor exceptions noted in the Table below.

DEVIATIONS FROM DELIVERY AGREEMENT

STAGE	DEVIATION	REASON FOR DEVIATION
Scoping Report – 5-week Consultation Exercise	This was carried out over a five-week period, rather than the four-week period proposed in the DA.	The exercise was planned according to the requirements of the SEA Regulations, and before the statutory period had been decided for Planning Guidance
Alternative Sites – 6-week Consultation Exercise	The Council did not erect site notices in respect of Alternative Sites as specified in the D.A.	The Council decided not to erect site notices in respect of ‘alternative sites’ as a result of the confusion that site notices caused at Deposit Stage. It was felt that the Alternative Sites site notices would cause further confusion for the public, causing difficulty in differentiating between Council Proposals and those put forward as an alternative site
Additional Stage – Focused Changes Consultation	The Delivery Agreement has been amended to include an additional stage for consultation to be undertaken on Focused Changes to the Deposit LDP. This revision is contained in the Addendum to the Delivery Agreement, where also the indicative timings outlined for the remaining stages of the plan preparation process have been turned into definitive timings.	The Delivery Agreement has been revised in line with Guidance received by the Welsh Assembly Government via circular CL-O1-2009 Guidance on Procedure for Advertising Focused Changes to the Deposit LDP.

3. Consultation Bodies

- 3.1 The Consultation Database contains the details of all of the interested persons and bodies who wish to be consulted during the preparation of the LDP.
- 3.2 The list is of course continually changing, but an indication of the range of bodies that were consulted in the preparation of the Deposit Plan is indicated by the lists of consultation bodies at the start of the process as detailed in the Delivery Agreement. These are repeated in Appendix 1, as follows:

Appendix 1A	Specific Consultation Bodies
Appendix 1B	General Consultation Bodies
Appendix 1C	Other Consultees

4. Management Groups

- 4.1 The Council has established three Groups to assist in the preparation of the Caerphilly LDP and speed up decision-making.

(a) The LDP Focus Group

- 4.2 The LDP Focus Group is an internal group of the Council that has responsibility for overseeing all of the stages involved in the preparation of the Local Development Plan. The Group was reconstructed during the plan preparation process as a result of elections and staff re-organisation. The revised Terms of Reference and Membership of the Group are shown in Appendices 2 and 3 respectively.

The Stakeholder Panel

- 4.3 The Stakeholder Panel consists of residents of the county borough and representatives of a wide range of local groups and organisations to ensure that a cross section of views can be debated as part of the public participation into the preparation of the Local Development Plan. The Terms of Reference of the Group are shown in Appendix 3, and the membership of the Group in Appendix 4.
- 4.4 The membership of the Stakeholder Panel was drawn from 40 representatives as follows:
- (a) 20 members from Statutory Consultation bodies, General Consultation Bodies, and the Caerphilly Standing Conference;
 - (b) 10 members of the General Public (profiled to reflect the population of the county borough); and
 - (c) 10 members of local groups organizations, including representatives of 'Hard to Reach' Groups.
- 4.5 All organisations/groups that were selected for the Stakeholder Panel were approached for nominees. A stakeholder mapping exercise was undertaken to ensure that the Panel comprised a cross section of interests in order to provide a balanced view.
- 4.6 The Panel acts as a sounding board for emerging policies and proposals debated as part of the public participation into the Plan.

The Sustainability Group

- 4.7 The Sustainability Group is a group of experts from both inside the Council and external bodies that advises on the environmental impact and the sustainability of proposals arising during the preparation of the Local Development Plan. The Terms of Reference of the Group, which include the membership of the Group, are shown in Appendix 5.

5. Community Involvement in the LDP Process

- 5.1 Community involvement is a fundamental feature of the LDP process, and is intended to achieve consensus throughout the preparation of the Plan. The Community Involvement Scheme (CIS) in the Delivery Agreement details the ways in which the Council has sought to secure this involvement.
- 5.2 The LDP Focus Group met on six occasions during the Pre-Deposit process, as follows:

20 February 2006; 13 April 2006; 28 July 2006; 7 February 007; 26 June 2008; and 24 July 2008.

- 5.3 Subsequent to the Deposit Plan statutory consultation, the LDP Focus Group met on the following occasions, to consider and make recommendations to Council on issues arising from the consultation process that had been identified by Members as of particular concern to their constituents in a series of Members Seminars arranged on an area basis:

5 May 2009, and 3/4 June 2009.

- 5.4 The Stakeholder Panel met on three occasions during the Pre-Deposit process, as follows:

27 February; 24 August 2006; and 15 February 2007.

A meeting of the Panel was arranged for 18 July 2008 to consider the Draft Deposit LDP, but unfortunately the number of apologies received meant that the meeting would have been inquorate, and the meeting was therefore cancelled.

- 5.5 The Sustainability Group met on fourteen occasions, as follows

8 March 2006; 27 April 2006; 17 August 2006; 11 October 2006; 30 November 2006; 23 January 2006; 9 November 2007; 13 December 2007; 30 March 2008; 9 April 2008; 1 May 2008; 15 May 2008; 19 June 2008; and 3 July 2008.

- 5.6 Subsequent to the Deposit Plan the Sustainability Group met on 30 April 2009 to receive an update on the Deposit and Alternative Site Consultations, and to Quality Assess some of the SEA/SA site assessments submitted as part of objections to the LDP

- 5.7 The Minutes of all of these meeting of the Management Groups have been made available on the Council's Website. In addition, the Minutes of the LDP Focus Group meetings have all been reported to full Council.

- 5.8 In addition, in accordance with the Delivery Agreement there was consultation on the Scoping Report for the SEA/SA between 14 June and 19 July 2006: this consultation was restricted to the Specific Consultation Bodies.

- 5.9 The two major consultations to the Council were each reported to the Council twice, first to agree the consultation documents, and second to report on the responses to the consultation. The dates of these Council meetings were as follows:

Preferred Strategy	Consultation agreed	4 April 2006
	Responses reported	17 September 2006
Deposit LDP	Consultation agreed	17 September 2006
	Responses reported	15 September 2009

- 5.10 All of the changes to the Deposit LDP that the Council agreed at the meeting on 15 September 2009 to recommend to the Inspector are included in Appendix 6.

- 5.11 The final consultation exercise on the plan was the Focused Changes Consultation, which was carried out between 23 September and 4 November 2009. There were a total of 19 Focused Changes to the Deposit LDP that the Council has recommended to the Inspector.

6. The Pre-Deposit Consultation response

- 6.1 A total of 3,060 representations were received during the statutory consultation period, including two notable petitions in terms of numbers: There were 1,590 signatures to a

petition concerned about the possible development of the Bedwas Colliery Site for urban uses, and 280 names on a petition wishing for Blackwood Golf Course to remain undeveloped.

- 6.2 The publication of the Candidate Sites Register generated a large number of responses in relation to sites, chief among these were Ty Du at Nelson (600 responses), St. Ilans at Caerphilly (240 responses), and sites at Cefn Hengoed (200 responses).
- 6.3 Of the remainder, a significant number of representations were received from proposers of Candidate Sites, disappointed by the poor scoring of their site in the Council's initial assessment.
- 6.4 Finally, although small in number, there were significant comments received from Welsh Assembly Government (WAG), Statutory Bodies and Commercial Organisations on the Preferred Strategy itself and on the Report on the Strategic Environmental Assessment / Sustainability Appraisal.
- 6.2 While many of those listed above were single issue representations, the particular responses described by the last point raised many more individual issues and were far more complicated in scope and depth. For example, one of these respondents raised 125 different issues. Although every comment received due examination, the bulk of officer effort was devoted to the consideration of these difficult issues relating to the LDP Strategy and the SEA/SA.

7. Main Issues from the Pre-Deposit Consultation

Revisions to the Preferred Strategy

- 7.1 Overall there was general acceptance of the main thrust of the Strategy proposed by the Council. Comments were concentrated on detailed points where it had been suggested that improvements and additions to the strategy description and changes to the strategic policies would be beneficial. These points were considered, and many of the criticisms were accepted. Going forward, these points formed the basis for a revised plan strategy, which was completed and presented to the public as part of the Deposit Plan. It is important to note that the LDP preparation process does not envisage that the finalised deposit strategy should be prepared and published in isolation prior to the Deposit Plan document. Therefore the revised version was part of that Plan which went to public consultation in October/November 2008 after Council's approval of the content.

Summary of the main Strategy Issues raised

- 7.2 There follows a select list of the more significant representations on the preferred strategy and strategic policies. This is by no means an exhaustive record.

Support for the Strategy

- The LDP vision is clear as is the process of arriving at it.
- The overall vision appears to be well integrated with the Community Strategy.
- The Preferred Strategy aligns well with the emerging framework for development in South Wales.
- The Preferred Strategy promotes balanced growth in accord with the Wales Spatial Plan (WSP) and Heads of the Valleys (HOV) regeneration strategy.
- The strategic options and preferred strategy are broadly relevant to the borough.

- The reference to the reduced necessity to identify a substantial number of new greenfield sites is welcomed.
- The protection of the environment contained in the policy is welcomed.
- The emphasis to retain the distinct identities of residential areas is supported.
- The commitment to retention of open space within development boundaries is much to be welcomed.
- The longer-term plans for improved rail infrastructure are supported.

Overall Concern with the Strategy

- the economy, housing apportionment, strategic site take up, WSP and other The Preferred Strategy is overly long and complex with a confusing mix of description and policy. The key issues, plan objectives, the plan vision and the strategic spatial options considered should be made clearer.
- There does not appear to be much evidence of clear internal consistency between the major drivers of change in the County.
- The setting of clear and SMART plan objectives is also critical for subsequent plan monitoring purposes.
- The Preferred Strategy should be sufficiently flexible to respond to changes in changes including HOV strategy delivery risks.
- The Preferred Strategy should be clear on how the contextual strategies, including the WSP area work, and those strategies of neighbouring authorities, have influenced it.

Concern for Particular Aspects of the Strategy

- It is important to promote a mix of land uses for every settlement that can meet the needs of the immediate and also of the wider community.
- The Preferred Strategy should be clearer about the potential amount and location for affordable housing.
- Residential development should be given equal priority to that of non-residential development in principal towns because it is a key driver in strengthening their vitality and viability.
- Regeneration would be best achieved by concentrating on areas that are conducive to investment and align economic growth with housing growth. This may allow growth to trickle over into less fortunate areas.
- To promote growth in the Principal Towns and Key Settlements in the Northern Connections Corridor at the expense of the actual regeneration powerhouse, i.e. Caerphilly and the Southern Connections Corridor, will have an adverse effect on the County Borough as a whole. Also, if there is a misalignment between housing growth and job growth, it will result in an increase in commuting, traffic congestion and pollution.
- The strategy should not resist housing development on brownfield sites in the Southern Connections Corridor. Given the problems of house choice and affordability, and the fact that there will be no restriction on employment opportunities, the Strategy has the potential to undermine the role and function of Caerphilly and the Southern Connections Corridor.
- If the strategy provided sufficient housing in the areas that will attract the most investment, it would reduce the need to travel and contribute significantly to a

sustainable resource efficient settlement pattern. In addition, the developer contributions would play a vital role in upgrading the transport network and so allow growth to be spread throughout the county borough in a more resource efficient and sustainable manner.

- There is little evidence that alternative economic scenarios of growth have been considered, and the Analysis Note does not refer to an employment forecast. Though UDP employment sites have been subjected to a formal appraisal it is unclear in the text what the outcome has been in terms of reconfirmation of sites or allocation for other uses. Analysis of the economic linkages between Cardiff, the M4 corridor and the southern part of CCBC is weak. There is no reference to economic opportunities / threats and the influence that this has had on the strategy. There is a strong impression that existing employment sites are being confirmed rather than alternative options considered and the strategy is highly concentrated on a few large sites - particularly Oakdale. The Preferred Strategy has a reliance on restraint in the south - Brownfield development and settlement boundary restraint - but the positive mechanisms to encourage development to divert to the north rather than elsewhere out of the area are not yet sufficiently considered. On this basis there should be emphasis on monitoring and management - a regular review of employment land take up and assessment of land use alternatives, and the use of implementation mechanisms such as planning obligations and phasing need to be examined.
- There is a significant oversupply of employment land compared with a limited future land requirement for growth to 2016, and there is a high instance of out - commuting from the County to other areas, particularly along the M4 corridor. The County will need a high quality and competitive stock of employment land which meets the requirements of modern occupiers. A balanced disposition of land uses linked into existing land use patterns and sustainable transport infrastructure improvements is required. It is unlikely that a significant amount of job growth will be of the traditional general industry classification, and so consideration should be given to the contribution of retail and service sector contributions towards job growth.
- There should be an assessment of retail need and identification of gaps in provision that exist or will arise from the strategy. If there are key strategic retail sites that need identification or key settlements that need retail consolidation, they should be identified. The retail requirements of the Preferred Strategy and their relationship to the Wales Spatial Plan key settlements for the region should be considered.
- Where possible non-residential development opportunities should be focussed on the Principal Towns, in order to ensure their continued viability, as centres for economic and social activity, but any proposed economic growth should be aligned with sufficient housing growth to accommodate it.
- There is concern that easing of congestion points on the core road network, will encourage increased car use, and add to CO2 emissions.
- There should be greater discussion of 'public transport' to move emphasis away from the road network.
- There needs to be recognition that a modal shift to using rail transport should occur as early as possible within the life of the LDP.
- Reference should be included in respect of potential increase in use of buses within the county borough.
- Reference should be made to walking and cycling for recreation and commuting.

- The lack of reference in the Strategy to Green Wedges is very surprising, given that this most important anti-coalescence designation is mentioned in the appendices.
- Greenfield sites on the edge of settlements should not be released except in cases in which it is very certain that this will have the desired effect of ensuring that they will continue to be sustained.
- It is to be hoped that no new greenfield allocations will be made in the Basin area.
- The protection and retention of trees, woodlands and hedgerows is a vital matter.
- Sufficient land for open space must be retained in all new housing developments, especially where house-building will lead to loss of informal open space that has been of value to the community.
- The preferred strategy does not explain how it relates to public investment strategies such as water / sewerage / flood provision and protection infrastructure investment. The strategy choice should encourage sites where provision exists and / or where problems can be solved and development can be phased. The spatial implications of whether new provision is needed and whether, and how, it can be provided should be considered as part of arriving at (and providing justification for) the preferred option. Clear evidence should be provided of how the key issue of infrastructure capacity / requirements have affected the development of the Preferred Strategy.
- The Preferred Strategy relates solely to the provision of Transport infrastructure. Local planning authorities should consider the capacity of existing and potential infrastructure (foul water) and phasing of development.
- A Strategic Flood Consequence Assessment and a Broad Level Assessment relevant to Strategic Sites should be undertaken and the findings incorporated into the Assessment process.
- The identified key sites for growth cannot be supported at the present time as they are unsound. A credible and coherent evidence base needs to be provided for the basis of the identification of the key sites for growth. This is an issue that requires resolution and will be highlighted at the Deposit Stage.
- The greenfield functional floodplain should be protected from development and the Preferred Strategy should be amended to reflect that Highly Vulnerable developments must not be permitted in Zone C2 areas.
- If the floodplain is a key area of implementation, its role in delivering strategy, should be clarified and be made explicit. Where the strategy relies on sites in the flood plain there may be a need to undertake some broad level assessment which provides for an understanding of flooding consequences to ensure that sites which are significant in terms of supporting the preferred strategy can be taken forward. Clear evidence should be provided of how the key issue of flood risk has affected the development of the preferred strategy.
- Considerations from the Regional Waste Plan should be included within the LDP as it develops.
- The Strategy and the strategic policies on minerals do not meet national requirements set out in national planning guidance. The LDP should make a commitment to, and identify the options for, meeting the contribution to be identified in the Regional Technical Statement to meet local, regional and national needs.
- The relationship between the Preferred Strategy and the safeguarding of minerals is not sufficiently clear. The Strategy should set out where coal operations would

not be acceptable, with unequivocal statements as to why. The SA / SEA should be one of the processes used to reach these conclusions.

- Consideration of Energy in the plan fails to take account of the role of fossil fuels until alternatives are developed. The aims of the Plan are to encourage the increased use of renewable energy and reduce the amount of energy used. It should be taken as read that the majority of energy supply will be supplied through fossil fuel based sources, as is currently the case, and in line with UK energy policy.
- There is strong objection to the Preferred Strategy's intention 'not to protect' the established coal reserve at Nant Llesg in the Upper Rhymney Valley. In this respect Caerphilly's strategy is deficient in addressing the requirements of Minerals Planning Policy Wales. The LDP will cover fifteen years - a period during which untold jeopardy could be caused to the Nant Llesg coal reserve if it is not protected.
- The Preferred Strategy should fully take into account the Regional Technical Statement (RTS) for Aggregates and the contribution to be made by Caerphilly Borough. The Preferred Strategy should set out the contribution to be made by Caerphilly to the identified aggregates demand and the requirement for land banks.
- The strategic safeguarding policy needs to protect the primary and secondary resource areas, excluding settlements and national / international designations. Consideration of minerals safeguarding should be explicit in site assessment and settlement boundary definition.
- Whilst the general concept of the Valleys Regional Park is supported, it is felt that such an initiative would impinge upon the amount of otherwise developable land within the Upper Rhymney Valley, and that new residential and commercial development would better enable the north of the Borough to strengthen its economic position.
- The Preferred Strategy acknowledges that the town of Caerphilly within the Southern Connections Corridor represents the County Borough's most attractive area to potential investors. However, the statement to the effect that a strategy which relies on the south of the County Borough for economic progress is unsustainable in the long term is unqualified and is not supported by firm evidence. To restrict development in a principal town to brownfield sites is unsustainable as the town needs to maintain its status in the settlement hierarchy of South East Wales as a major retail, tourism and employment centre. Emphasis is placed on the redevelopment of existing sites and not on the release of any substantial new Greenfield land. However, it is a fact that previously developed land is a finite resource and this has diminished significantly in the Caerphilly area. It is therefore considered that the LDP will need to identify Greenfield sites in the basin area to accommodate future housing needs. Therefore there is objection to the Strategy document on the basis that it seeks to restrict growth in the Caerphilly area to brownfield sites. Such sites, Bedwas Colliery is an example, have high development costs and are not likely to be developed in the shorter term. The town of Caerphilly needs to continue to provide a range and choice of housing sites to meet continuing requirements.

Comments on the Draft Strategic Policies

7.3 Below is a summary of the general comments on the draft strategic policies.

- Generally the strategic policies do not appear clear or specific enough to deliver on the narrative contained in the preferred approach. The narrative acknowledges priorities for areas and potential tensions but the policies do not shed light on how tensions will be resolved and what the priorities will be in particular areas. The

draft strategic policies should be the key delivery mechanisms for areas of change in the preferred spatial strategy.

- Below is an example of a detail-specific comment on a draft strategic policy.
- The Strategy and Policy SP12 are inconsistent with Minerals TAN 2, and should be amended to safeguard the Nant Llesg coal reserve because it is of strategic significance for Wales and the UK.

- 7.4 Detailed responses to the Representations made on the Preferred Strategy documents are contained in Annex A to the Initial Consultation Report.
- 7.5 In cases where representations have been accepted by the Council, efforts have been made to identify the parts of the Deposit LDP that reflect the representation: however, since the Deposit LDP is not simply a revision of the Preferred Strategy, but rather a new document, this has not always been possible.
- 7.6 It must also be noted that Annex A does not include responses to most of the representations that were made on the Council's initial assessment of sites on the Sites Register. The Consultation on the Preferred Strategy was not primarily concerned with these site assessments, although the Sites Register was published at the same time as the Consultation. Representations on these assessments were therefore taken into account later in the plan preparation process, when sites were being chosen for inclusion within the Deposit LDP. The only exceptions to this were where representations were made on the Council's assessment of the site's compatibility or otherwise with the Preferred Strategy, on which (see Paragraph 6.4 above) comments had been invited.
- 7.7 Detailed responses to the representations made on the SEA/SA documents are contained in Annex B to the Initial Consultation Report.

8. Deposit and Alternative Sites Consultation Responses

- 8.1 Altogether 1,810 representations were received to the Deposit LDP from organisations, bodies and individuals, comprising 292 representations of support, 1,413 representations of objection, and 53 representations containing comments. 52 representations were not duly made as they were submitted after the consultation deadline.
- 8.2 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 2,065 signatories, relating to the three Bedwas Colliery allocations.
- 8.3 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.
- 8.4 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).
- 8.5 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. 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 period had ended.

9. Main Issues from Deposit LDP Consultation

9.1 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.

Council Consideration of Representations.

9.2 Given the sheer volume of representations received at the Deposit Stage and the Alternative Sites Stage, a comprehensive report entitled the *Council Consideration of Representations Report* has been submitted to the Inspector. This comprises:

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

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

10. Matters for the Examination

10.1 Having considered all of the representations in detail it is the Council's view that the main matters that arise from the consultation process that need to be investigated at the hearings relate to:

- the Development Strategy that underpins the LDP;
- Population & Housing Growth;
- the relationship between Housing and Employment land provision;
- Minerals Safeguarding;
- and consideration of the proposed redevelopment of Bedwas Colliery for a mixed use development.

Development Strategy

10.2 Policies SP1, SP2 and SP3 clearly set out the priorities in policy terms for the development strategy for the plan. There is general support for the development strategy for the Heads of the Valley Regeneration Area, which seeks to exploit appropriate development opportunities where they exist in the deprived north of the County Borough. There is also clear support for the flexible approach in the Northern Connections Corridor, which focuses significant development on both brownfield and greenfield sites that have regard for the social and economic functions of the area. Unsurprisingly the emphasis on the redevelopment of brownfield sites in the Southern Connections Corridor in preference to greenfield sites has been the subject of concern. In particular the Home Builders Federation consider that restricting development to brownfield sites in the south is undesirable and that to restrict development in the Principal Towns in the south in this way is undesirable and unsustainable. In addition a number of objectors that have an interest in the release of greenfield sites within the Southern Connections Corridor also object to this element of the development strategy.

10.3 It is worth noting that the brownfield strategy for the Southern Connections Corridor is a continuation of the same strategy for the Area of Consolidation in the Caerphilly County Borough Council Approved Unitary Development Plan (1996-2011), which is widely regarded as having been very successful in the development of the county borough in recent years.

Population & Housing

(a) Policy SP16 Total Housing Requirement

10.4 The total housing requirement for which the plan makes provision has been a major source of comment from a range of Representors. In total, 47 representations have been received in relation to Policy SP16, which sets out that the plan has made provision for the development of 8,625 new dwellings. Of the representations received, 23 were in support for the level of growth identified, with 24 representations objecting to the total housing requirement figure identified.

10.5 The reasons for objecting to the level of growth were varied, but the primary concern was that the level of growth was too low, having regard to the South East Wales

Strategic Planning Group (SEWSPG) apportionment exercise, where Caerphilly was apportioned 9,750 dwellings to be delivered during the plan period.

10.6 Furthermore, there were concerns that the 2006-based population projections produced by the Welsh Assembly Government (WAG) indicated that the increase in population in Caerphilly was greater than the LDP makes provision for. This issue is discussed in detail within **Supplementary Paper 1** entitled **WAG 2006-Based Population and Household Projections**.

10.7 A number of other arguments have also been raised in respect of Policy SP16, namely:

- The flexibility assumptions used in the LDP;
- The impact of current market conditions on the total housing requirements;
- The findings of Local Housing Market Assessment (LHMA); and
- The wording of Policy SP16 Total Housing Requirement.

(b) Policy HG1 Allocated Housing Sites

10.8 Objections have also been received with regards to Policy HG1, which allocates land for housing. This Key Issues Paper deals only with the broad allocations that comprise policy HG1, such as the distribution and type of allocation in the LDP. Representations on the site-specific allocations that have been made under policy HG1 have been addressed separately.

10.9 For the purposes of considering similar issues together, these representations have been categorised as follows:

- The assumptions made in the calculation of housing land supply, especially in relation to windfall and small sites, empty properties and conversions.
- The balance between population, housing and employment land;
- ;
- Greenfield/Brownfield status of land and the proportion of each type of land allocated;
- Distribution of sites across strategy areas;
- Flexibility Assumptions;
- Assumptions on sites with planning consent; and
- Housing densities.

(c) Supplementary papers

10.10 Furthermore, a significant concern has been raised particularly on the issue of the delivery of housing sites within the plan. To illustrate that all sites within the LDP are deliverable, a meeting categorising when housing sites were anticipated to come forward within the plan period was held between key stakeholders including the local authority, the Home Builders Federation (HBF) and WAG, the detailed findings of which are included within a **Supplementary Paper 2** entitled **Housing Site Categorisation Exercise**.

10.11 To further demonstrate that the housing land can be delivered, an additional **Supplementary Paper 3** entitled **Housing Land Supply** has been prepared to provide an update on the current status of housing allocations and housing completions since the base date of 1st April 2007, which was the most recent completed JHLAS at the time of plan preparation.

Policy SP17 Affordable Housing Target and CW14 Affordable Housing Planning Obligation

- 10.12 Overall, the policies seeking to deliver affordable housing provision have been subject to a number of representations. There is merit in considering the representations on Policies SP17 and CW14 together, as the affordable housing target contained in Policy SP17 is based on a calculation derived from the number of dwellings that the implementation of Policy CW14 would generate.
- 10.13 One of the main issues relating to the affordable housing policies was that the viability of delivering these targets has not been demonstrated. **Supplementary Paper: Affordable Housing Viability Assessment** has been prepared to examine the viability of the targets and thresholds. .
- 10.14 More specifically in relation to SP17, a representation has been received from WAG concerning the fact that the affordable housing target (91 units per annum) within the plan does not meet the level of need identified within the Local Housing Market Assessment (516 units per annum). Whilst the LDP target only represents what the planning system can realistically achieve, other mechanisms for delivering affordable housing are set out within a **Supplementary Paper 5** entitled **Affordable Housing Targets**.
- 10.15 Other issues raised in relation to Policy SP17 relate to concerns that the target is too high and how the shortfall in meeting the target would be addressed. There were also concerns on the wording of the policy itself.
- 10.16 With regards to Policy CW14, in addition to viability, objections have been made in respect of the target for affordable housing in each of the strategy areas (40% in the Southern and NCC and 25% in the Heads of the Valleys Regeneration Area). These objections relate to whether these targets are too high or too low, or whether the target should differ within specific settlements. Furthermore, concerns have been raised in respect of the evidence used to justify the affordable housing thresholds.
- 10.17 Other concerns have also been raised about the impact of economic conditions on overall housing delivery and specifically whether the conclusions of the LHMA, which forms part of the evidence base for affordable housing, are still valid.

Housing and Employment land provision

- 10.18 Policy SP18 Managing Employment Growth seeks to provide for the development of 104 hectares of employment land on a range of employment sites across the county borough. There appears to be no objection to the amount of employment land allocated; rather the distribution of employment sites is questioned and the relationship with the housing land is a matter of concern. The thrust of the Home Builders Federation and Caerphilly Green Doorstep objection is that the employment growth and housing growth should complement each other and be sustainable and they do not consider that the plan meets this objective.
- 10.19 A number of respondents have also sought the de-allocation of employment sites to allow for residential development but these are generally site-specific representations that are ultimately housing objections.

Minerals Safeguarding

- 10.20 Minerals Planning Policy Wales (MPPW) 2000 requires that the mineral deposits which society may need are safeguarded. The extent of the land safeguarded reflects

the extent of mineral resources in the county borough. There is no presumption in favour of working the resource.

10.21 Policy CW 24 Locational Constraints – Minerals:

While it is not anticipated that there will be a large number of applications within mineral safeguarding areas since they are outside settlement limits, there needs to be a framework for considering those that do arise. The Statement of Common Ground addresses the issue of the extent of the minerals safeguarding areas on the Proposals Map, the need for hard rock safeguarding areas to be indicated on the Proposal Map and proposes minor modification to Policy SP9 to more closely translate national guidance to the local level. The council has not repeated national guidance on any other topic in accordance with LDP Wales, including for example Archaeology and Historic Buildings. However in the case of minerals the guidance (MTAN 2) and comments from WAG require that it be repeated in the LDP. Given the apparent paradox in national guidance in this regard and the content of the Planning Inspectorate guidance document it is considered appropriate to invite the Inspector to reach a conclusion on this issue.

Site Specific

Bedwas Colliery

- 10.22 Bedwas Colliery is the largest housing allocation in the Deposit LDP. The site is designated for a mixed-use development comprising housing, leisure and education use. The allocation has attracted significant local objection, including a petition of over 2,000 signatories. A range of issues have been raised in the representations including: the need for Housing, Education and Community Facilities on the site; traffic and transportation concerns; flooding and drainage; site safety; pollution, contamination and reclamation.
- 10.23 It is acknowledged that the Bedwas Colliery Site is not a Strategic Site, however given the public concern expressed in respect of this particular land allocation it is vitally important for reasons of transparency and accountability that the Inspector considers this matter.

11. SA/SEA Self Assessment of the Deposit LDP

- 11.1 Planning Guidance advises local authorities to only submit LDPs that they consider to be sound. For this reason the Council has carried out a self-assessment of the Deposit LDP to ensure that this is the case. The results of this self-assessment of the Deposit LDP are in Appendix 7.

12. Equality Impact Assessment

- 12.1 The Council requires an assessment of the impact on equalities to be carried out on strategy documents prepared by the Council. The results of this equality impact assessment of the Deposit LDP are in Appendix 8.

Appendices

- 1 Consultation Bodies
 - A Specific Consultation Bodies
 - B General Consultation Bodies
 - C Other Consultees
- 2 LDP Focus Group: Terms of Reference
- 3 LDP Focus Group: Membership
- 4 Stakeholder Panel: Terms of Reference
- 5 Sustainability Group: Terms of Reference
- 6 Council recommendations to the Inspector on changes to the Deposit LDP
- 7 Caerphilly CBC's SA/SEA Self Assessment of the Deposit LDP
8. Equality Impact Assessment

Appendix 1

Consultation Bodies

A Specific Consultation Bodies

B General Consultation Bodies

C Other Consultees

APPENDIX 1A SPECIFIC CONSULTATION BODIESCONSULTATION BODIES

All Town and Community Councils
British Gas Plc
British Telecom
Caerphilly Local Health Board
CADW
Castle Transmission International
Celtic Energy Ltd
Countryside council for Wales
Dwr Cymru/Welsh Water
Environment Agency
Hyder Consulting
Mercury Personal communications
Millennium Communications Network Ltd
Mono Consultants (acting on behalf of mobile phone operators)
National Grid
NTL UK
Powergen
RWE nPower
Secretary of State for Transport
(in relation to previous Strategic Rail authority functions)
South East Wales Local Planning Authorities
SWALEC
Telecom Securicor Cellular Radio
The Coal Authority
Transco
Virgin Mobile
Wales and West Utilities
Welsh Assembly Government
Welsh Water
Western Power Distribution

APPENDIX 1B GENERAL CONSULTATION BODIES

28 Community Partnerships
(including Community First Partnerships)
Age Concern Cymru
Age Concern Gwent
All Wales Ethnic Minority Association
Ancient Monument Society
Argoed Senior Citizens Association
Arriva Trains
Arthritis Care in Wales
Arthritis Research Campaign
Arts Council for Wales
Assembly Members
Bargoed YMCA
Bargoed, Hengoed and New Tredegar Methodist Churches
Barnardos
Barnardos Caerphilly Open Door Service
Bedwas and District Conservation Association
Bedwas Comprehensive School
Bedwas Penguins Swimming Club for the Disabled
Bedwellty Area OAP Association
Bethany Apostolic Church
Bethany Baptist Church
Bethel Baptist Church
Black Environment Network
Blackwood and District Alzheimer's Society
Blackwood Central Methodist Church
Blackwood Comprehensive School
Blackwood Little Theatre
Blackwood VIP Club (Vision Impaired)
BTCV Cymru
Business in Focus
Business in the Community Cymru
Caerphilly Business Forum
Caerphilly County Youth Theatre
Caerphilly Local Historical Society
Caerphilly North Ward Aged Persons Welfare Committee
Caerphilly OAP Association
Caerphilly Round Table
Calafaria Baptist Church
Cardiff/Newport and Gwent Chamber of Commerce and Industry
Cardiff Gypsy and Traveller Project
Cardiff International Airport
Care Council for Wales
Carers Support GP Disability Wales
Cascade Methodist Church
Central Electricity Generating Board
Centre for Help and Advice for Disabled
Church in Wales
Churches in Action
Coleg Gwent

APPENDIX 1B GENERAL CONSULTATION BODIES (CONTINUED)

Commission for Racial Equality
Congregational Chapel Markham
County Land and Business Association
Crosskeys Methodist Church
Cwmcarn High School
Cwmcarn OAP Association
Disability Wales
Drug Aid
Early Retirement Group
Elim Pentecostal Church
Employment Opportunities for People with Disabilities
English Baptist Church
Equal Opportunities Commission
Friends, Families and Traveller
GACO
GAVO Creative Play Project
Gelligaer OAP
Gigabites Youth Project (Churches inAction)
Gilfach Old Peoples Welfare Committee
Goundwork Caerphilly
Gwent Autistic Society
Gwent Health Authority
Gwent Valley Health Promotional
Gwent Wildlife Trust
Healthy Living Centres
Hengoed Branch OAP's
Institute of Civil Engineers
Institute of Directors
Islwyn Methodist Church
Kids in Caerphilly
Lesbian, Gay, Bisexual Forum
Lewis School Pengam
Llwynon Allotments Association
Local Chambers of Trade
Lower Islwyn Health Water Group
Moriah Christian Fellowship
National Express Plc
National Farmers Union Wales
National Museum and Galleries of Wales
Newbridge Comprehensive School
Newbridge Methodist Church
Oakdale Comprehensive
One Voice Wales
Pandy Senior Citizen Club
Penuel Congregational Chapel, Nelson
Pontllanfraith Comprehensive School
Presbyterian Church of Wales Trinity
National Assembly Members
Rhymney Valley Access Group
Rhymney Valley Autistic Society
Rhymney Valley Trades Council
Rhymney Valley Young at Heart

APPENDIX 1B GENERAL CONSULTATION BODIES (CONTINUED)

Rhymni Valley MIND
Risca Young at Heart
Royal National Institute of the Blind
Salem Methodist Church
Senghenydd Youth Drop-in Centre
St Andrews Church Caerphilly
St Catherine's Church Caerphilly
St Cenydd Comprehensive School
St David's Methodist Church
St Ilan Comprehensive School
St Margaret's Church, Blackwood
St Martin's Comprehensive School
St Martin's Church Caerphilly
St Martin's OAP Association
St Martin's Ward OAP Association
Sustrains Cymru
Tabernacle Baptist Church
The Church of Jesus Christ of Latter Day Saints
(Caerphilly and Blackwood)
The Civic Trust for Wales
The Coal Authority
The Gypsy Council for Health, Education and
Welfare
The National Trust
The Parish of Eglwysilan
The Planning Inspectorate
The Theatres Trust
Traveller Law Reform Coalition
Trethomas Christian Fellowship
Trinant Methodist Church
Trinity Congregational Church
Tuesday Club for the Deaf, Bargoed
Valleys Art Marketing
Virgin Mobile
Voluntary Arts Wales
Wales Association of Community and Town
Councils
Wales Council for the Blind
Wales Council for the Deaf
Wales Disability Rights Commission
Wales Tourist Board
Welsh Development Agency
Welsh Language Board
Ystrad Mynach Methodist Church

APPENDIX 1C OTHER CONSULTEES
GENERAL CONSULTATION BODIES CONTINUED

Airport Operator
British Aggregates Association
British Geological Survey
British Waterways, Canal Owners and Navigation Authorities
Centre for Ecology and Hydrology
Chambers of Commerce, Local CBI and Local Branches of Institute Directors
Civil Aviation Authority
Commission for Racial Equality
County Landowners and Business Association
Crosskeys Coach Hire
Crown Estate Office
Design Commission for Wales
Disability Rights Commission
Disability Wales
Disabled Persons Transport Advisory Committee
Electricity, Gas and Telecommunication Companies and Nation Grid Co, ELWa
Environmental Groups at National & Regional Level
Environmental Services Agency (Waste)
Equal Opportunities Commission
European Peoples Party and European Democrats
Federation of Small Businesses
Fire and Rescue Services
Forestry Commission Wales
Freight Transport Association
GB Engineering Co(Wales) Ltd
Greens/European Free Alliance
Group/Civic Societies
Gypsy Council
Health and Safety Executive
Housing Developers
Lidl UK GMBH
Local Community, Conservation and Amenity Group, including Agenda 21
Local Transport Operators
National Farmers Union for Wales
Network Rail and train Operating Companies
One Voice Wales
Party of the European Socialist
Planning/Consultants
Planning Aid Wales
Police Architectural Liaison Officers
Port Operators
Post Office Property Holdings

APPENDIX 1C OTHER CONSULTEES (CONTINUED)

Professional Bodies e.g. Royal Institution of
Chartered Surveyors Wales
Quarry Products Association Wales
Rail Freight Group
Sports Council for Wales
The Home Builders Federation
Traveller Law Reform Coalition
Wales Council for Voluntary Action
Wales Environment Link
Wales Tourist Board
Water Companies
Welsh Development Agency
Welsh Environmental Services Association
Department for Transport
Department for Trade and Industry
Home Office
Ministry of Defence

UK GOVERNMENT DEPARTMENTS

GENERAL CONSULTATION

Appendix 2

LDP Focus Group: Terms of Reference

APPENDIX 2

THE LDP FOCUS GROUP

TERMS OF REFERENCE (revised 26 June 2008)

Primary Purpose

The Local Development Plan (LDP) Focus Group will test policy and proposals at key stages throughout the plan preparation process as outlined in the Delivery Agreement.

Objectives

The LDP Focus Group will:

- monitor the progress of the LDP in relation to the scheduled time-table contained in the Delivery Agreement
- fulfil the function otherwise carried out by full Council to sign off intermediate stages of plan preparation in order to speed up decision making
- contribute to the plan preparation process by meeting at key stages to help to generate options and alternatives for inclusion in draft policy papers and documents
- receive and take account of the recommendations from the SA/SEA working group with regard to sustainability issues arising from the plan preparation process
- receive and take account of the comments from the Stakeholder Panel arising out of the various public involvement stages in the plan preparation process
- receive and take account of the representations from the General Public arising out of the various public involvement stages in the plan preparation process

Mandate

- to be an internal group of key individuals; both Members and Officers of the Council
- to be an active working group, functioning to create a corporate consensus view rather than as individuals pursuing sectional interests

Composition

The group will comprise a small group of key Elected Members and cross-directorate representatives:

Leader (substituted by Deputy Leaders as appropriate)

Cabinet Member for Transportation & Planning

Cabinet Member for Living Environment & Housing

Cabinet Member for Regeneration

Cabinet Member for Education and Leisure

Chair of the Planning Committee

Vice-Chair of the Planning Committee

Leader of the Majority Opposition

A nominated Member of the Majority Opposition

A nominated Member representing the Independents

A Member representative of the Sustainable Development Advisory Panel

A nominated female Member

Chief Planning Officer

Chief Engineer

Chief Housing Officer
Head of Economic Development, Tourism & European Affairs
Head of Information, Communications & Technology Services
Head of Lifelong Learning and Leisure, Education & Leisure
Head of Performance Management
Head of Planning and Strategy, Education & Leisure
Head of Public Protection
Head of Public Services
Assistant Director, Resourcing and Performance, Social Services
Principal Solicitor for Planning, Land and Highways
Regeneration Partnership Co-ordinator

(Note: individuals are invited to join the Group based on the role they fulfil within the Authority and not on the basis of their individual interest. Therefore as Members / Officers leave their current role / post, their place on the Group would also be relinquished.)

Quorum

It is recognised that not all officers and members identified will be available to attend every meeting scheduled throughout the process, nor would that be necessarily appropriate at every stage. It is agreed that substitutes will only be acceptable where they were of equal or sufficient status to have both the capacity and authority to make high level decisions on behalf of the Council. To enable a LDP Focus Group Meeting to proceed it is proposed that there should be a quorum of seven people, four of whom should be Elected Members.

Chairman

An Elected Member will be appointed to Chair the LDP Focus Group in the inaugural meeting.

Frequency

The LDP Focus Group will meet as necessary in order to provide its advice on the key stages in the Plan preparation process. In order to assist Members of the group, these meeting dates will be established as far in advance as possible by reference to the Timetable produced as part of the LDP Delivery Agreement. Where any meeting is likely to take a full day to complete business it will be scheduled over two half days instead in order to fit more easily with other work commitments.

Agendas

It will be the responsibility of the Team Leader, Strategic and Development Plans to agree the agenda in consultation with the Leader, or one of his Deputies, and the Focus Group Chairman. All material for discussion by the Group will be released onto the 'web' for public access. Group Members will receive all papers seven days before meetings. If there are no adverse comments within these seven days these papers will subsequently be published on the 'web'. Requests for the Group to deal with 'Any Other Business' will be considered by the Chairman.

Reporting Mechanism

Minutes of the LDP Focus Group will be submitted for scrutiny purposes to the Regeneration Scrutiny Committee. Any matter requiring a Policy decision will be reported to Council. Every Member of the Council will be able to access the minutes via the internet and a copy placed in the Members Room.

Agreed Changes since inception:

Members:

- *A nominated female Member is included.*

Officer Posts:

- *The Assistant Director, Resourcing and Performance, Social Services replaces the Director of Social Services.*
- *The Head of Information, Communications & Technology Services replaces the Chief Property Officer.*
- *The Head of Performance Management replaces the Head of Policy & Central Services.*
- *The Team Leader, Sustainable Development and Living Environment Partnership replaces both the Living Environment Partnership Co-ordinator and the Sustainable Development Co-ordinator, these posts having been combined.*

Appendix 3

LDP Focus Group: Membership

APPENDIX 3

LDP FOCUS GROUP

MEMBERSHIP

Elected Member

Leader (substituted by Deputy
Leaders as appropriate)

Cabinet Member for Transportation & Planning

Cabinet Member for Living Environment & Housing

Cabinet Member for Regeneration

Cabinet Member for Education and Leisure

Chair Planning

Vice Chair of Planning

Leader of the Majority Opposition

1 nominated member of the Majority Opposition

1 nominated member representing both
Independent Groups

A representative of the Sustainable
Development Advisory Panel- suggest:

Chief Planning Officer

Chief Engineer

Head of Lifelong Learning and Leisure

Head of Planning and Strategy, Education and Leisure

Chief Housing Officer

Chief Property Officer

Head of Policy and Central Services

Head of Economic Development, Tourism & European Affairs

Head of Public Services

Head of Social Services

Head of Public Protection

Living Environment Co-ordinator

Regeneration Co-ordinator

Sustainable Development Co-ordinator

Note

Individuals were invited to join the Group based on the role they fulfil within the authority, and not on the basis of their individual interest. Therefore as officers/members leave their current role/post their place on the group would also be relinquished.

Appendix 4

Stakeholder Panel: Terms of Reference

APPENDIX 4

STAKEHOLDER PANEL

TERMS OF REFERENCE

Primary Purpose

The LDP Stakeholder Panel will act as a sounding board for emerging policies and proposals and will be the forum for structured discussions to ensure that a cross section of views can be debated as part of the public participation into the Local Development Plan.

Objectives

The Stakeholder Panel will:

ill:

- Contribute to the plan preparation process by helping to generate options and alternatives for inclusion in draft policy papers and documents
- Assist in the development and revision of the LDP policies and proposals
- Make unified recommendations on all matters up for discussion to the LDP Focus Group

Mandate

The Stakeholder Panel is to be an advisory group and as such will only operate successfully if a coherent and balanced viewpoint is maintained via compromise and consensus building. Therefore Members of the Panel will need to:

- Be committed to working toward producing the optimum solutions that will assist and inform the plan-making process
- Work comprehensively within the Panel, accommodating views that are different from their own, seeking consensus and accepting compromise to reach agreement on the issues before them
- Be open minded and consider the whole picture, not seeking to promote sectional interests
- Be able and willing to make the necessary decisions and recommendations on behalf of the Panel to the LDP Focus Group

Composition

The Stakeholder Panel will comprise 40 members as follows:

- 20 members drawn from Statutory Consultation Bodies, General Consultation Bodies and the Caerphilly Standing Conference
- 10 members of the General Public (profiled to reflect the population of CCBC)
- 10 members of local organisations, which will include representatives of 'Hard to Reach' groups.

All organisations/groups that have expressed an interest in the Stakeholder Panel have been considered for membership. A stakeholder mapping exercise has been undertaken to ensure that the Panel comprises a cross section of interests in order to provide a

balanced view.

The Stakeholder Panel will have to consider how to secure membership representing groups where currently there has been no interest expressed in involvement with the plan preparation process.

Quorum

It is recognised that not all those identified will be available to attend every meeting scheduled

throughout the process, nor would that be appropriate necessarily at every stage.

The Panel is not a formal decision making body, but its role as a sounding board is an extremely important one.

Therefore, to enable a viable discussion to proceed at Stakeholder Panel Meetings it is proposed that there should be a quorum of fourteen people.

Chairman

The Stakeholder Panel meetings will normally operate in a workshop format to be facilitated by officers from the Council's Planning Division. The meetings will not, therefore, be chaired, although the facilitators will seek to resolve differences in order to draw out and record the consensus view.

Frequency

The Stakeholder Panel will meet as necessary in order to provide its views on the key stages in the Plan preparation process.

Agendas

Information for each meeting will be sent to Panel members to be received no later than 7 days before the date of the meeting. As the meetings will be facilitated workshop discussions, agendas will not be necessary.

Reporting Mechanism

A record of the discussions and recommendations from each Stakeholder Panel meeting will be produced by the facilitators and be submitted to the LDP Focus Group for its consideration.

Appendix 5

Sustainability Group: Terms of Reference

APPENDIX 5 SUSTAINABILITY GROUP TERMS OF REFERENCE

Primary Purpose

The Group will provide expert advice and information to assist in the production of the Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA) for the emerging Caerphilly Local Development Plan.

Objectives

The Working Group will:

- Assist in the development of the methodology for the SA/SEA.
- Assist in the identification and quantification of Sustainability Objectives and monitoring criteria.
- Assist in the development and revision of the Assessment Framework against which the LDP policies and implication will be assessed.
- Consider the assessment of the plan implications and make recommendations to the LDP Focus Group/LDP Stakeholder Panel for amendments to the LDP based on environmental and sustainability grounds.
- Make recommendations on consultation matters to the LDP Focus Group.

Mandate

The Working Group is an advisory Group, without decision making powers and as such will only operate successfully if the aim of producing a coherent and balanced SA/SEA is maintained, and compromise and consensus building are achieved. Therefore Members of the Group will need to:

- Be able and willing to make decisions and recommendations on behalf of their body at the meetings in respect of the SA/SEA.
- Be committed to working toward producing an SA/SEA that will assist and inform the plan making process.
- Work with the group, accommodating views that are different from their own, seeking consensus and accepting compromise to reach agreement on the issues before the group.
- Be open minded and consider the whole picture, not seeking to promote sectional interests.
- Buy into the improved SA/SEA and support and encourage its appropriate implementation.

Composition

The Working Group will comprise of the following 29 members:

Council Representatives

- Landscape
- Ecology
- Conservation (Buildings)
- Energy

- Sustainability
- Building Control
- Economic Development
- Research Officer
- Leisure
- Highways
- Housing
- Education
- Environmental Health (Pollution)
- Health Improvement
- Waste Management
- Community Safety
- Waste Strategy

External Representatives

- Countryside Council for Wales
- Environment Agency
- CADW
- Welsh Water
- British Telecom
- Welsh Development Agency
- Farmer Union of Wales
- Health Authority
- Gwent Association of Voluntary Organisations (GAVO)
- Police
- Glamorgan Gwent Archaeological Trust
- Forestry Commission

Substitutes

It is accepted that some members may not be able to make every meeting. A representative may be sent in place of the original member subject to two requirements, both of which need to be satisfied:

- The substitute is fully aware of the outcomes of previous meetings and is in a position to actively participate.
- The substitute complies with the requirements of the Membership mandate.

Where no suitable substitute is possible, any input the member wishes to make on the information before the Group should be submitted to the Council, in writing, to arrive no later than 3 days before the date of any meeting, in order for the information to be reviewed and presented to the Group as appropriate.

Chairman

The Group meetings will generally take the form of a facilitated discussion. Whilst it would not normally be the case that such meetings would require a Chair, the SA/SEA (in conjunction with the LDP) is being produced within a very strict timescale. Consequently the meetings will need to have a mechanism for resolving issues that cannot be agreed by mutual compromise. Consequently the meeting will be chaired by the Principal Planner (Countryside), with the Vice-Chair being the principal Planner (Strategic and Development Planning).

Quorum

The Working group is not a formal decision making body. As decisions will not be made at the meetings it is not necessary to have a quorum limit.

Frequency

The Working Group will meet as and when required. This may result in long periods where meetings are not necessary, and periods where a number of meetings are required. In order for members to have the necessary time to include meetings into their schedules, dates for meetings will be set for at least 6 months in advance of each meeting.

It may be necessary, due to unforeseen circumstances, to call a meeting at relatively short notice (precluding the 6 month advance notice). Special Meetings will only be called where the need for the meeting is urgent and where the outcomes from the meeting are required to ensure compliance with LDP Delivery Agreement. Where a Special Meeting is called, members will be afforded the maximum amount of notice that is possible within the timeframe allowed.

Information

Information for each meeting will be sent to members of the Working Group to be received no later than 14 days prior to the date of the meeting.

In order to ensure that the meetings are focussed, and to achieve the outcomes necessary and within the timescale laid out by the Delivery Agreement, a schedule of outcomes for each meeting will be included in the meeting documentation.

Resolving Disagreement

The Group is advisory only in nature and will assist in the production of the SA/SEA. However the decision making process for content of the document will rest with the Planning section of the Council. The Meeting Chair and vice-chair will, therefore, be responsible for considering any issues where a consensus view is not possible, and determine the appropriate action for the SA/SEA. For such issues the Meeting Chairs will report the decision back to the next meeting of the Group.

Reporting Mechanism

A record of the discussions and agreements from each meeting will be produced and will be made available for public inspection on the internet . All records will be reported to the relevant Scrutiny Committee as part of the process.

Any recommendations for changes to the LDP document, or for consultations on the SA/SEA document will be reported to the LDP Focus Group for decision-making.

Appendix 6

**Council recommendations
to the Inspector on
changes to the Deposit
LDP**

Appendix 6

The following table provides a comprehensive list of changes that the Council considers should be made to the Deposit LDP for reasons of clarity, conformity and to correct minor drafting errors. In addition the table indicates the Focused Changes that were the subject of a six week consultation exercise commencing on the 23rd September 2009.

Note: Focused Changes are referenced using the letters 'FC'.

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
DEPOSIT PLAN - INTRODUCTION			
Paragraph 0.47	<p>Recommend to the Planning Inspector that Paragraph 0.47 be amended to read:</p> <p><i>“The Wales Spatial Plan 2008 Update divides South East Wales functionally into three zones. The City and Coast zone includes the M4 corridor and the cities of Cardiff and Newport, just south of Caerphilly County Borough. The central zone, termed the Connections Corridor, links the prosperous City and Coast zone to deprived communities in the Heads of the Valleys Plus zone.”</i></p>	To reflect the changed status of the update of the Wales Spatial Plan	Conformity
SECTION A – STRATEGY			
Paragraph 1.33	<p>Recommend to the Planning Inspector that Paragraph 1.4 be amended to change the word <i>“direct”</i> to <i>“attract”</i>.</p>	Emphasis added for clarification	Minor

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
Strategic Policy 6 – Place Making	Recommend to the Planning Inspector that the principal part of Policy SP6 be amended to read as follows: <i>i Development proposals should contribute to creating sustainable places by having full regard to the context of the local, natural, <u>historic</u> and built environment and its special features through:</i>	The proposed change is not substantive but would improve the clarity of /remove any ambiguity in the LDP.	Minor
Strategic Policy 8 - Flood Risk	Recommend to the Planning Inspector that the plan be amended to delete Policy SP8	The proposed change is not substantive but would remove an unnecessary administrative action from the LDP whose rewording would only replicate national guidance.	Conformity
Strategic Policy 9 - Minerals safeguarding	Recommend to the Planning Inspector that Policy SP9 be amended to refer to “ resources ” rather than “ reserves ”	To better reflect the intention of the policy	Minor
Supporting text / Proposals Map - Strategic Policy 9	That a recommendation be made to the Planning Inspector that: Policy SP9 be	The clarity of SP9 would be improved if it was redrafted to refer to “resources” rather than “reserves”. In the planning context “reserves” tends to	Minor

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
	<p>amended as follows (As discussed in the Statement of Common Ground on minerals):</p> <p><i>“The council will contribute to the regional demand for a continuous supply of minerals by:</i></p> <p><i>A Safeguarding known resources of coal, sand and gravel and hard rock</i></p> <p><i>B B Maintaining a minimum 10-year landbank of permitted aggregate reserves in line with national guidance.”</i></p>	refer to resources that have planning permission.	
Strategic Policy 11 - Waste Management	Recommend to the Planning Inspector that the document entitled ‘Waste Management - Supplementary Paper on Land Availability’ should be recognised as part of the Background Evidence to the LDP.	The shortcoming identified by the Welsh Assembly Government should be addressed by issuing the Inspector with an additional document in October entitled ‘Waste Management - Supplementary Paper on Land Availability’.	Conformity
Strategic Policy 17 - Affordable Housing Target	Recommend to the Planning Inspector that Policy SP17 be amended to provide an affordable housing target based on all measures being utilised by the Council to deliver affordable housing	The proposed change will provide clarity of the scale of affordable housing that can realistically be provided during the plan period by all delivery mechanisms.	Focused Change (FC01)

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
	<p>as follows:</p> <p><i>“SP17 The Council will seek to deliver 3,800 affordable dwellings between 2006 and 2021 in order to contribute to mixed communities”.</i></p>		
Strategic Policy 17 - Supporting Text - Affordable Housing Target	<p>Recommend to the Planning Inspector that Paragraph 1.85 be amended to quantify the level of affordable housing need as follows:</p> <p><i>“The Council aims to ensure that everyone in the County Borough has access to a good quality home that meets their housing requirements and the provision of a choice of housing that is affordable to the local population is vital in achieving this. A shortfall of affordable housing is a significant issue facing residents in the County Borough. Indeed, the Local Housing Market Assessment (2007) indicates that there is a Borough-wide shortfall of 516 affordable units per annum.”</i></p>	The proposed change will provide the context for the affordable housing policy by specifying the level of affordable housing need, as required by national planning guidance.	Minor
Strategic Policy 17 - Supporting Text –	Recommend to the Planning Inspector that Paragraph 1.86	The amendment would reflect the findings of the recent	Focused Change (FC01)

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
Affordable Housing Target	<p>be amended to include an indication of the number of affordable dwellings likely to be delivered through the planning system based on the findings of the Affordable Housing Viability Assessment as follows:</p> <p><i>“1.86 The target of 3,800 dwellings to be delivered within the plan period reflects the number of units that can be delivered across the County Borough using a range of delivery mechanisms in response to levels of need. The planning system, through the use of planning obligations, is one method of securing ‘affordable housing’ and it is anticipated that 950 units can realistically be delivered through planning obligations</i>”</p>	Affordable Housing Viability Assessment and would ensure that the plan adheres to national planning guidance which identifies that viability should be considered when setting affordable housing targets and thresholds.	

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
	<i>during the lifetime of the plan."</i>		
SECTION B - COUNTYWIDE POLICY			
CW1 - Sustainable Buildings	Recommend to the Planning Inspector that policy CW1 is deleted from the plan.	As a result of the publication of MIPPS 01/2009, Policy CW1 Sustainable Buildings now directly repeats what is contained within national policy and guidance. The continued inclusion of the policy in the plan would result in the plan becoming unsound.	Conformity
CW4 - General Design Considerations	That the Council recommend to the Planning Inspector that Policy CW4 be deleted from the LDP.	Recent legislative and guidance changes mean that the LDP repeats national guidance	Conformity
CW5 – General Design Considerations	Recommend to the Planning Inspector that Policy CW5 be deleted the LDP	The policy repeats national guidance	Conformity
CW9 - Trees and Woodland Protection	<p><u>Trees, Woodland and Hedgerow Protection</u> <i>Development proposals on sites containing trees, woodlands, hedgerows and ancient woodland, or which are bordered by one of more trees or hedgerows, will only be permitted provided that:</i></p> <p><i>A Where arboricultural surveys are required, they are received and</i></p>	As a result of a number of omissions, it is recommended to the planning inspector that the wording of CW9 be amended. The rewording of the policy would address all of the necessary issues that need to be referred to as highlighted in the Planning Policy Wales and the Natural Heritage Background Paper.	Conformity

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
	<p><i>approved, and any mitigation, compensation and/or management requirements are submitted as part of the planning application, and</i></p> <p>B <i>The trees, woodland and/or hedgerows and their root systems will be retained and adequately protected prior to, during and after, development takes place, or</i></p> <p>C <i>Where trees, woodland and/or hedgerows are proposed to be removed the developer can demonstrate that the need for the development outweighs the importance of the trees, woodland and/or the hedgerow, and</i></p> <p>D <i>Where trees, woodlands and/or hedgerows are removed, suitable replacements are planted within the development, and</i></p> <p>E <i>Ancient trees and woodland sites are protected from development that would result in significant damage.</i></p>		
Policy CW11–	Recommend to the	For the purpose of	Minor

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
Supporting text - Protection of Community and Leisure Facilities	<p>Planning Inspector that the first sentence of paragraph 2.23 be amended to read:</p> <p><i>“Local leisure and community facilities are important to the health, social, educational and cultural needs of the County Borough, as well as its economic well-being.”</i></p>	clarity, the amendment to paragraph 2.23 would be beneficial.	
Policy CW14 and supporting test – Affordable Housing Planning Obligation	<p>Recommend to the Planning Inspector that Policy CW14 and supporting text be amended in light of the findings of the Viability Assessment to read:“</p> <p><i>“Legal agreements will be required to ensure that there is provision of an element of affordable housing, in accordance with an assessment of local need, for all allocated and windfall housing sites that:</i></p> <p><i>A Accommodate 10 or more dwellings; or</i></p> <p><i>B Exceed 0.3 ha in gross site area, or</i></p> <p><i>C Where the combined product of adjacent housing site proposals would exceed the thresholds set in</i></p>	The amendment would reflect the findings of the recent Affordable Housing Viability Assessment and would ensure that the plan adheres to national planning guidance which identifies that viability should be considered when setting affordable housing targets and thresholds.	Focused Change (FC02)

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
	<p><i>A or B above</i></p> <p><i>Where there is evidence of need, the Council will seek to negotiate the following affordable housing targets of:</i></p> <ul style="list-style-type: none"> <i>• 40% of the total number of dwellings proposed on sites within the Caerphilly Basin (excluding Aber Valley);</i> <i>• 25% in the Northern Connections Corridor (excluding Newbridge); and</i> <i>• 10% in the Rest of Caerphilly County Borough (including Newbridge but excluding the Heads of the Valleys Regeneration Area)</i> <p><i>2.28 There is a significant need for affordable housing in the County Borough and therefore seeking appropriate levels of affordable housing is justified as a means of contributing to mixed, balanced and sustainable communities through the provision of housing for all sectors of the</i></p>		

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
	<p><i>population.</i></p> <p>2.29 These targets should be treated as indicative as, at planning application stage, site-specific requirements will depend on the current market conditions having regard for the most up to date Local Housing Market Assessment, recent Viability Assessments and information from the Council's Housing Division. The targets assume that no grant or public subsidy will be used. Should grant funding be available, a higher level of affordable housing may be sought.</p> <p>2.30 Further information on affordable housing requirements is provided in the Council's Supplementary Planning Guidance on Affordable Housing."</p> <p>The recommended amendment to this Policy would also require associated changes to Paragraphs 1.6, 1.11 and 1.17 of the Strategy section of the LDP.</p>		

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
CW17 – General Locational Constraints	<p>Recommend to the Planning Inspector that the plan be amended in reference to the inclusion of tourism under criterion C (iii) of policy CW17.</p> <p>Criterion C (iii) of the policy should be amended to read:</p> <p><i>“For recreation, leisure and tourism proposals that are suitable in a countryside location”</i></p>	The inclusion of the reference to tourism within policy CW17 is considered to comply with national guidance	Minor
CW22 – Supporting text, Paragraph 2.42	<p>Recommends to the Planning Inspector that Paragraph 2.45 be amended to read:</p> <p>The conversion of industrial, commercial or agricultural buildings, that have become redundant, into residential use, will not be permitted unless it can be demonstrated that every reasonable attempt has been made to continue the building’s use as an economic or business asset. Residential conversion is likely to be acceptable where it forms part of the business or economic use of the</p>		Drafting error

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
	complex.		
Policy CW23– Supporting Text – Locational Constraints Gypsy and Traveller Caravan Sites	<p>Recommends to the Planning Inspector that the final sentence of Paragraph 2.45 be amended to read:</p> <p><i>“For this reason, the preferred location for sites is inside or on the outskirts of built-up areas, although suitable sites in rural or semi-rural settings would also be acceptable.”</i></p>	To ensure that the Plan is consistent with Circular 30/2007.	Conformity
Policy CW23– Supporting Text – Locational Constraints Gypsy and Traveller Caravan Sites	<p>Recommend to the Planning Inspector that Paragraph 2.47 be amended to read:</p> <p><i>“Proposals for Gypsy and Traveller caravan sites must also generally comply with other policies identified in the Plan, including design considerations.”</i></p>	To ensure that the Plan is consistent with Circular 30/2007.	Conformity
New Policy CWXX – Water Protection Policy	<p>Recommend to the Planning Inspector a new Water Protection Policy be included within the plan as follows:</p> <p><u>“CWXX – Water Protection Policy Development proposals will only be permitted where;</u></p> <p><i>A They do not have an adverse impact upon the water</i></p>	It is considered that there is a legislative requirement to protect the quality of the water environment that is not adequately covered in national planning guidance. The plan makes reference to the management, protection and enhancement of the water environment, but no policy has been	Focused Change (FC03)

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
	<p><i>environment and</i></p> <p><i>B Where they would not pose an unacceptable risk to the quality of controlled waters (including groundwater and surface water).</i></p> <p><i>Climate change, increases in populations and changes in lifestyle have all had an impact upon the water environment and the pressures upon it. Climate change will affect the amount of rain that falls, it will impact upon river flows, replenishing of groundwater, the quality of water available and incidents of flooding, particularly localised, flash flooding. The demands and pressures on water resources will also change, with the scale and nature of the problem differing across Wales, as will the approach to dealing with the problems. The approach to the protection of the water environment will need to take into account the quality and quantity of the</i></p>	<p>written into the plan. The new policy is necessary as it reflects the need and requirement of national legislation and reflects the key objectives in the plan.</p>	

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
	<i>local water resource, and how this impacts upon the wider environment in terms of preventing further deterioration of aquatic ecosystems, associated habitats, fisheries, promoting the sustainable use of water, and controlling water abstractions.”</i>		
SECTION C – STRATEGY AREA HEADS OF THE VALLEYS REGENERATION AREA			
Policy - Supporting text LE04 – Formal Leisure Facilities	Recommend to the Planning Inspector that the word ‘ Quality ’ is replaced with ‘ Quantity ’ in paragraph 3.50	The changes would amend a drafting error in the plan.	Drafting Error
Proposals Map CF1.9 - South of Aberbargoed Plateau – Fire Station LE3.3 – Bargoed Country Park (Aberbargoed)	<ul style="list-style-type: none"> ▪ In respect of the settlement boundary, that a recommendation is made to the planning inspector to amend the settlement boundary on the proposals map to include CF1.9 within the settlement boundary. ▪ In respect of the leisure allocation LE3.3, that a recommendation is made to the planning inspector to amend the country park boundary on the proposals map to 	To amend mapping errors on the proposals map.	Drafting Error

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
	exclude CF1.9.		
Proposals Map LE2.1 (Argoed)	Recommend to the Planning Inspector that a minor amendment be made to the boundary of LE2.1 to exclude the land to which site E21 relates.	The inclusion of site E21 within the boundary of LE2.1 is a drafting error	Drafting error
HG1.19 Aberbargoed Plateau (Aberbargoed)	Recommend to the Planning Inspector that housing allocation HG1.19 is deleted	The focused change is in line with the Council Resolution of September 15 th 2009	Focused Change (FC04)
HG1.14 (New Tredegar)	Recommend to the Planning Inspector that the plan be amended to delete HG1.14 Land fronting South View Terrace as a housing site.	The value of the informal open space outweighs the need for residential development in this area. The proposed change is not substantive	Minor
EM2.3 (Pontlottyn)	Recommend to the Planning Inspector that a minor amendment be made to the boundary of EM2.3	The amendment to the boundary of EM2.3 is considered to be a minor amendment that would more accurately define the extent of the employment allocation in light of planning consent P08/1044 Full.	Minor
HG1.07 (Pontlottyn)	Recommend to the Planning Inspector that a minor amendment be made to the boundary of HG1.07	The amendment to the boundary of HG1.07 is considered to be a minor amendment that would serve to improve the sites relationship with housing site HG1.08 (which is immediately	Minor

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
		south) by addressing the topography.	
Appendices CM4.1 & CF1.2 (Moriah)	Recommend to the Planning Inspector that changes should be made to the LDP site descriptions for allocations CM4.1 and CF1.2 in the relevant appendices to identify the need for full ecological surveys.	The desired change would encourage best practice in protecting ecologically important features as far as possible in implementation of development	Minor
SECTION C – STRATEGY AREA NORTHERN CONNECTIONS CORRIDOR			
Policy LE04- Supporting text – Formal Leisure Facilities	Recommend to the Planning Inspector that the word ' Quality ' is replaced with ' Quantity ' in paragraph 3.141.	The changes would amend a drafting error in the plan.	Drafting Error
LE5.7 - Rear of Pencoed Avenue, Cefn Fforest (Cefn Fforest)	Recommend to the Planning Inspector that the plan be amended to delete Land Rear of Pencoed Avenue, Cefn Fforest, as an area of protection for informal open space.	The proposed change is not substantive but would remove an allocation from the LDP that may prove difficult to realise due to its private landownership and difficulty in obtaining access.	Minor
EM1.7 (Crumlin)	Recommend to the Planning Inspector that the plan be amended to delete EM1.7 as an employment allocation and that the site be removed from the settlement boundary.	The deletion of the site for employment use and the removal of the land from the settlement boundary would better enable existing residential and employment uses to co-exist at this location.	Focused Change (FC05)
HG1.25 (Crumlin)	Recommend to the Planning Inspector that the Plan and its	The proposed change is not substantive but would remove an	Minor / Conformity

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
	Appendices be amended to delete Navigation Colliery as a housing site.	allocation from the LDP that may prove difficult to realise due to the known risk associated with flooding.	
E31 Land at Pendinas Avenue, Croespenmaen (Crumlin)	Recommend to the Planning Inspector that site E31 is included as an informal leisure allocation	The focused change is in line with the Council Resolution of September 15 th 2009	Focused Change (FC07)
LE99.16 Old Landfill Site, Hafodyrynys Hill	Recommend to the Planning Inspector that site LE99.16 is included as a leisure allocation	The focused change is in line with the Council Resolution of September 15 th 2009	Focused Change (FC08)
Appendix LE5.15 (Hengoed)	<p>Recommend to the Planning Inspector that Appendix Twelve be amended as follows:</p> <p><i>“ LE 5.15 Adjacent to River Rhymney, Hengoed.</i></p> <p><i>This flat area of land provides an opportunity to create a recreational area incorporating the Riverside Walk and additional informal facilities such as picnic sites.”</i></p>	The allocation should be retained in the LDP but the appendices should be amended to remove the reference to car parking.	Minor
HG1.32 Land at Hawtin Park, Pontllanfraith	Recommend to the Planning Inspector that the plan be amended to delete housing allocation HG1.32 and instead include the site as a leisure allocation	The focused change is in line with the Council Resolution of September 15 th 2009	Focused Change (FC09)
TR99.1	Recommend to the	The focused change	Focused

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
Llancaiach View, Nelson	Planning Inspector that the plan be amended to include TR99.1 as an allocation for a park and ride facility	is in line with the Council Resolution of September 15 th 2009	Change (FC10)
TR99.2 Nelson By-pass, Nelson	Recommend to the Planning Inspector that the plan be amended to include TR99.2 Nelson By-pass	The focused change is in line with the Council Resolution of September 15 th 2009	Focused Change (FC11)
Proposals Map EM2.7 – Dwr Cymru Welsh Water Offices, Nelson SB99.50 – Dwr Cymru Welsh Water Offices, Nelson SI1.11 – West of Nelson (Nelson)	Recommend to the Planning Inspector that a drafting error is rectified to exclude the allotment gardens and properties 1 & 2 Greenhill Cottages from the boundary of EM2.7, and that the consequential changes to the Settlement Boundary and Green Wedge are also made.	The recommended changes result from an initial drafting error	Drafting error
SI1.6 - Aberbargoed, Cefn Fforest and Pengam (Pengam)	That the Council recommend to the Planning Inspector that the LDP be amended to correct the drafting error to move the allocation of Green Wedge SI1.6 Aberbargoed, Cefn Fforest and Pengam from the HOVRA area specific policies section to the Northern Connections Corridor area specific policies	The proposed change would correct the LDP	Drafting Error

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
	section of the plan.		
Proposals Map LE1.15 - Trelyn Park, Fleur De Lys (Pengam)	Recommend to the Planning Inspector that the boundary of LE1.15 be amended to exclude the land in private ownership from the leisure allocation.	To rectify a minor drafting error on the Proposals Map	Drafting Error
SI1.13 – Pengam, Blackwood and Pontllanfraith Green Wedge SB99.2 – Land within the Curtilage of Valley View Bungalow E193 – Land north of Warne Street and St Francis Street, Pengam(Pengam)	Recommend to the Planning Inspector that: <ul style="list-style-type: none"> the settlement boundary be amended to include land at Hillside Bungalow and follow the line of B4254 – Trelyn Lane further to the west as indicated on the Plan. the green wedge boundary be amended to correspond with the alignment of the proposed settlement boundary for coherence and consistency 	To rectify a minor drafting error on the Proposals Map	Focused Change (FC06)
HG99.17 - Land at Llwyn Onn Crescent, Oakdale SB99.29 - Site at Llwyn Onn Crescent, Oakdale (Penmaen)	Recommend to the Planning Inspector that the settlement be amended to incorporate land granted planning consent for 2 bungalows in 2006 (P/06/0392) and the dwelling known as Ty Gynnes, as shown on the map.	The proposed change is not substantive but would ensure consistency in the alignment of the settlement boundary in the LDP.	Conformity

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
LE99.5 / SB99.55 / SI99.2 Haulwen Road Penpedairheol	Recommend to the Planning Inspector that the settlement be amended to exclude land at Haulwen Road and that the green wedge boundary SI1.7 be amended to include the site	The change would help to improve clarity as the planning history for land at Haulwen Rd has demonstrated that the land is not considered suitable for development due to its open nature and countryside setting	Focused Change (FC12)
CF1.16 Oakfield Street, Ystrad Mynach (Ystrad Mynach)	Recommend to the Planning Inspector that the site boundary of CF1.16 be amended to remove the eastern segment of the existing car park from the proposed community facility allocation to more properly reflect the land required to accommodate this development.	The proposed change is not substantive but would more accurately reflect the land necessary to accommodate this development.	Minor
D61 Land off Penallta Road, Ystrad Mynach	Recommend to the Planning Inspector that the plan be amended to include site D61 as a leisure allocation for use as allotments	The focused change is in line with the Council Resolution of September 15 th 2009	Focused Change (FC13)
SECTION C – STRATEGY AREA SOUTHERN CONNECTIONS CORRIDOR			
Introductory Paragraph to SCC - Transport Infrastructure Improvement	Recommend to the Planning Inspector that the LDP be amended to include the following at the end of paragraph 3.187: <i>“In addition to this the council will</i>	An appropriate amendment to the wording of the strategy section of the SCC, is required to identify the council's intention to investigate the feasibility of the rail schemes	Minor

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
	<i>investigate the feasibility of new passenger rail links from Caerphilly to Taffs Well and from Trehir to Machen and Newport, with a view to promoting their inclusion in the first review of the RTP if appropriate.”</i>		
Policy LE04 – Supporting text – Formal Leisure Facilities	Recommend to the Planning Inspector that the word ‘ Quality ’ is replaced with ‘ Quantity ’ in paragraph 3.234.	The changes would amend a drafting error in the plan.	Drafting Error
MN1.2 Hafod Quarry Buffer Zone MN99.3 Hafod Quarry Mineral Safeguarding Area NH2.3 VILL Abercarn	Recommend to the Planning Inspector that the VILL designation should be extended to cover the quarry and that the permission boundary should not be shown. Also that this should be consistently applied to other mineral working sites within the county borough, including Machen Quarry	The Plan accepts that mineral working is not necessarily inconsistent with the aims of SLAs and VILLs and because quarrying is a temporary activity (albeit long term) the VILL designation should encompass the quarry. This would also give weight to achieving the best possible restoration of the site once quarrying ceases. Since none of the proposals or policies relates specifically to the permission boundary there is no reason to show the quarry boundary on the proposals map.	Focused Change (FC14)
HG1.77 (Aber Valley)	Recommend to the Planning Inspector that a minor	There is currently an outline planning application submitted	Conformity

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
	amendment be made to the boundary of HG1.77	for this site P09/0243 for residential development and associated recreational space. The area to which this application refers incorporates the land to the west of HG1.77. The amendment to the boundary of HG1.77 to include this land is considered to be a minor amendment and would allow for the comprehensive development of this site.	
Bedwas Colliery (Bedwas, Trethomas & Machen)	<p>Recommend to the Planning Inspector that Paragraph 3.229 be amended as follows:</p> <p><i>“3.229 Country parks are large scale, less formal facilities that offer a valuable resource for recreation activities near enough to the county borough’s main centres of population but completely rural in character. In this case provision is to be made initially for a ‘pocket park’ serving the wider Caerphilly Basin area and in particular the proposed mixed use development on the adjacent Bedwas colliery site. The colliery spoil tips to</i></p>	The proposed change is not substantive but would improve the clarity of the LDP.	Minor

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
	<i>the north of the pocket park are proposed for a country park in the longer term."</i>		
Proposals Map LE1.32 – Land adjacent to the War Memorial, Machen(Bedwas, Trethomas & Machen)	Recommend to the Planning Inspector that the boundary of the designated Leisure Site LE1.32 – Land adjacent to the War Memorial, Machen should be amended to exclude the churchyard and church.	To achieve the aims of Policy LE 1 Protection of Formal Open Spaces, it is unnecessary and inappropriate to designate churches and churchyards.	Drafting error
LE1.27 (Llanbradach)	Recommend to the Planning Inspector that the site boundary be amended at Llanbradach Park to reflect the land ownership boundary.	For consistency purposes, the River Rhymney would represent a more defensible boundary as not only is the river a natural boundary, but it also forms the line of the settlement boundary and the boundary of land in Council ownership. This minor change is therefore considered logical in line with general good practice.	Drafting error
HG1.68 - St Ilans Comprehensive, Caerphilly (Morgan Jones)	Recommend to the Planning Inspector that Appendix 7 of the LDP be amended to insert a paragraph in relation to HG1.68 stating <i>"a site development brief will be produced to identify the ways in which constraints to development can be</i>	The proposed change is not substantive but would improve the clarity the LDP.	Minor

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
	<i>overcome and the principal design requirements."</i>		
HG1.68 / CF1.28 / LE4.13 - St Ilans Comprehensive, Caerphilly (Morgan Jones)	Recommend to the Planning Inspector that the allocations for housing, a school and formal leisure facilities is deleted	The focused change is in line with the Council Resolution of September 15 th 2009	Focused Change (FC15)
Appendix HG1.75 - Cwm lfor Primary School (Risca West)	Recommend to the Planning Inspector that the wording in respect of HG1.75 at Appendix A7 be modified to refer to 'southern' instead of 'northern'.	The amendment to the appendices is required to correct a minor drafting error.	Drafting error
HG1.57 - Brookland Road, Council Services Site, Pontymister CF1.38 - Brookland, Risca - Adult Education Centre LE99.12 - Brookland Road Site, Pontymister(Risca West)	Recommend to the Planning Inspector that: 1. the land in question be deleted as a housing site (HG1.57) from the LDP 2. the proposal for the youth and adult services facilities to be relocated into the library building (CF1.38) be deleted from the LDP	Circumstances have changed considerably since the original decision was taken to relocate the youth facility into the library building, and a great degree of uncertainty in terms of asset management issues remain. The required changes effectively deals with the unresolved issues surrounding the current plan proposals.	Minor
HG1.72- Caerphilly Miners Hospital, Caerphilly	Recommend to the Planning Inspector that the plan be amended to identify HG1.72 for mixed use development, specifically for community facilities and leisure use and	The focused change is in line with the Council Resolution of September 15 th 2009	Focused Change (FC16)

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
	not solely for housing		
SB99.1 - Rear of Islwyn Road, Wattsville (Ynysddu)	Recommend to the Planning Inspector that the plan be amended to amend the Settlement Boundary to omit the land to the rear of Islwyn Road, Wattsville	The site is more appropriately located outside of the settlement boundary.	Focused Change (FC17)
SECTION C – STRATEGY AREA CROSS BOUNDARY			
Proposals Map / Policy NH3	An amendment be made to the proposals map as currently some SINC allocations extend beyond the administrative boundary of CCBC	The amendment to the proposals map is required to reflect the administrative boundary of CCBC	Conformity
Site NH3.136 & LE99.2 - Crumlin Arm of the Monmouthshire/ Brecon Canal	In respect of the canal being allocated as a leisure allocation, that a recommendation is made to the inspector that the LDP be changed to include the Monmouthshire/ Brecon Canal as a tourism site within the Southern Connections Corridor	The allocation of the Monmouthshire/ Brecon Canal as a tourism allocation is considered to make a positive contribution to not only the tourism opportunities within the County Borough but would also seek to attract additional visitors to the area and further enhance the natural heritage interests of the area.	Minor
SITE / POLICY/OTHER			

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
Policy LE3 – Protection of Country Parks Policy TM1 – Tourism proposals. TM99.5 – Parc Cwm Darren	An amendment be made to the policy to allow tourism related activities at country parks; and An amendment to the supporting text be made to support tourism related activities on Country Parks	The focused change is in line with the Council Resolution of September 15 th 2009	Focused Change (FC18)
PROPOSALS MAP			
Proposals Map - Minerals safeguarding	Recommend to the Planning Inspector that all mineral safeguarding areas should extend up to settlement boundaries.	This will ensure that the implications of new development on safeguarding areas will be fully considered and that the resource is not incrementally sterilised by new development.	Focused Change (FC19)
COUNCIL RESOLUTIONS			
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)	An amendment be made to the LDP to include the Council's intention to consider the feasibility of promoting the reinstatement of the passenger rail line from Trehir, through Bedwas Trethomas and Machen, to Newport.	Provision of a passenger route along this line would bring benefits in terms of reducing congestion along the Caerphilly-Machen- Newport corridor and the council will investigate the feasibility of bringing the line back into beneficial use.	Minor

POLICY/PARA	REQUIRED CHANGE	JUSTIFICATION	SCALE OF CHANGE
LE4.11 (Former Bedwas Colliery, Bedwas)			
TR7.3 (Bedwas Colliery Access Road)			
LE2.2 (Bedwas Community Park)			

Appendix 7

Self-Assessment Of Tests Of Soundness

APPENDIX 7

DEPOSIT LOCAL DEVELOPMENT PLAN

SELF-ASSESSMENT OF TESTS OF SOUNDNESS

Introduction

A self-assessment test was undertaken prior to the Local Development Plan being placed on deposit to ensure that the Deposit LDP was sound. Further to representations being received in respect of the soundness of the plan during the deposit and alternative site stage consultation periods, a further self-assessment has been undertaken.

A number of representor's indicated that the plan did not meet one or more of the ten test of soundness, but provided little or no evidence to demonstrate the reasons why they believed the plan to be unsound. In the absence of clear evidence it is not possible to rebut these representations.

Where respondents have provided evidence to illustrate their concerns in respect of the soundness of the plan, this self-assessment addresses the main issues raised and provides evidence to indicate that the plan is indeed sound. Evidence has been primarily from the statutory consultees such as the Welsh Assembly Government, the Home Builders Federation and the Environment Agency. Full responses to the tests of soundness are addressed in more detail within the 'Council Consideration of Representation' report that was considered by Caerphilly County Borough Council on the 15th September 2009.

Procedural Tests		Self-Appraisal Evidence
Test P1	It has been prepared in accordance with the Delivery Agreement including the Community Involvement Scheme	<p>Key Question: Have all the relevant consultation/participation procedures set out in the CIS been carried out?</p> <p>Response: The Delivery Agreement (DA), as agreed by the Welsh Assembly Government, sets out the process for the production of the LDP and the preparation of</p>

	(CIS)	<p>the SEA/SA, based upon the requirements of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005, the SEA directive and the LDP Manual 2006. An Addendum to the delivery agreement was agreed by council in April 2009 and confirmed the indicative timetable.</p> <p>Evidence: The 'Consultation Report', September 2009 details the procedure and compliance with the Delivery Agreement, the timetable and the community involvement scheme, as well as the participation and consultation procedures and involvement with the community undertaken throughout the process.</p>
Test P2	The plan and its policies have been subjected to sustainability appraisal including strategic environmental assessment	<p>Key Question: Has sustainability appraisal (SA), incorporating the requirements of strategic environmental assessment (SEA), been carried out in relation to the LDP?</p> <p>Response: A full SA and SEA assessment has been undertaken for all strategy, countywide and allocation policies contained within the Deposit Local Development Plan. In addition the Focused Changes have also been assessed in order to determine what impact if any they may have on the sustainability of the LDP.</p> <p>Evidence: The SEA/SA documents that have been produced throughout the plan preparation process, provide a full breakdown of the results of the SEA/SA. Responses to the representations received in respect of the SEA/ SA are contained within Volume 6 of the 'Council Consideration of Representations' report September 2009.</p>

Consistency tests		

Test C1	It is a land use plan which has regard to other relevant plans, policies and strategies relating to the area or to adjoining areas	<p>i) Key Question: Does the plan put forward proposals for the use and development of land that adequately take account of the relationship with the plans/policies/requirements of other organisations, as those utility companies and agencies providing services in the area, including their future plans or strategy and any requirement for land and premises, which should be prepared in parallel?</p> <p>i) Response: The Local Development Plan has sought to take into account the requirements, where requested from other companies and agencies, to adequately provide the necessary development land and take into consideration the relationship with their plans, policies and requirements.</p> <p>i) Evidence:</p> <ul style="list-style-type: none"> • Please refer to the list of submission documents, which provides details of the key documents taken into consideration during the preparation of the LDP, including the requirements of the documents. • The delivery agreement and report of consultation details the statutory and non-statutory consultees who were consulted during the plan preparation period. • The 'Council Consideration of Representations' responds to the representations received by all statutory and non-statutory consultees. <p>Representations: The Environment Agency has substantive objections to the plan under test of soundness C1. These are dealt with in Volume 5, page 163 (flood issues) and page 315 (Water Quality) of the 'Council Considerations of Representations' Report. As a consequence of these representations the Council has resolved to make changes to the Deposit Plan as outlined in the Focused Chages.</p> <hr/> <p>ii) Key Question: Is it clear how the plan relates to other plans and strategies such as local</p>
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		<p>transport plans, which will influence the delivery of policies and proposals within the plan?</p> <p>ii) Response: The LDP identifies in the written statement, the appendices, the background papers and the supplementary papers that accompany the LDP, the plans and strategies that have been considered and how these have influenced the relationship between the provision and delivery of the policies and proposals within the Deposit LDP. It has not always been possible to fully take into account all strategic plans due to different time scales in the publication of documents. However, where it has been possible and access has been made available to draft and emerging strategies, they have been taken into consideration as far as practically possible. In addition the Council continues to monitor emerging policies of neighbouring authorities in order to ensure that there is continuity of approach (wherever possible) in terms of cross boundary designations.</p> <p>ii) Evidence:</p> <ul style="list-style-type: none"> • The 'Introduction' Section of the Deposit Local Development Plan identifies the National and Regional Planning Guidance that are relevant to the preparation of the plan (paragraphs 0.11 – 0.13) and the council strategies considered (paras 0.14 – 0.15, page 7). • The plan also contains a more detailed section entitled 'National, Regional and Local Context' (paras 0.42-0.65). This section describes in more detail the role of specific key pieces of legislation or guidance that has influence policy and proposals within the plan. • There are 14 background papers set out the detailed linkages between the other plans and strategies that influence the delivery of policies and proposals within the plan. • The 8 supplementary papers provide additional information on the relevant legislation and policy. • Appendix 20 details how the allocated sites within the plan are anticipated to be delivered during the lifetime of the plan.

Test C2	It has regard to national policy	<p>(i) Key Question: If the plan contains any policies or proposals that are not consistent with national policy, is there local justification.</p> <p>(i) Response: Throughout the plan preparation process, every endeavour has been made to ensure that national policy requirements are translated into policies that related to the local area. In addition the Council has tried to ensure that the LDP does not merely repeat national policy.</p> <p>(i) Evidence:</p> <ul style="list-style-type: none"> • The 14 background papers provide support for each topic area covered in the local development plan. The background papers identify what policies are to be included or not included within the LDP and a justification as to why, including the requirements and guidance as set out in national policy. • Eight supplementary papers were produced in response to the representations received during the consultation periods and addressed issues relating to the consistency of the LDP policies in relation to national policy. • The council report 'Council Considerations of Representations' responds to the representations received during the consultation period including those related to national policy. <hr/> <p>Representations:</p> <p>The Home Builders Federation (Response Ref 1492. D1 – 15) have substantive objections to the plan under test of soundness C2. These are addressed under Volume 1, Part 1 (population and housing) and Volume 5, page 113, 171 (policy SP10)</p> <p>The Welsh Assembly Government have substantive objection to the plan under test of soundness C2. This is dealt with in Volume 1, Part1 and Volume 5, page 163 (flood issues), page 180, 182 (waste issues) and 253 (Gypsy and Travellers) in the "Council Considerations of Representations' report.</p>
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		<p>The Environment Agency has substantive objections to the plan under test of soundness C2. These are dealt with in Volume 3, page 85 (HG1.25 – Navigation Colliery), Volume 4, page 173 (HG1.68 – St Ilans Comprehensive) and Volume 5, page 163 (flood issues), page 301 (contaminated land) and page 315 (Water Quality) of the ‘Council Considerations of Representations’ Report.</p> <hr/> <p>(ii) Key Question: Does it avoid wasteful/ unnecessary repetition of national policy? LDPs are intended to be shorter, focused documents that do not unnecessarily repeat national policy.</p> <p>(ii) Response:</p> <p>1a&b) The LDP has sought not to contain any policies that repeat national guidance or policy.</p> <p>2) National policy in respect of Minerals has been repeated in the Plan because of the National Assembly’s recommendations in MPPW that Minerals Safeguarding Areas should be shown on the development plan Proposals Maps. Policies to protect potential mineral resources from other types of permanent development, which would either sterilise them or hinder extraction (MPPW, 2000, Paragraph 13) are also recommended.</p> <p>(ii) Evidence:</p> <p>1a) A background paper supports each topic area covered in the LDP. The background paper identifies what policies are to be included within the LDP and why. Where no LDP policy has been provided because of its coverage by national policy, this has been explained.</p> <p>1b) Where policies have been included that could be considered as repeating national guidance, e.g. the renewable energy targets (policy SP10, page 42-43) the council has adopted its own approach to fulfilling these general obligations and sets out clearly how and why this approach has been taken and will be fulfilled.</p>
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		<p>Representations: The Welsh Assembly Government has substantive objections to the issue of mineral safeguarding and locational constraints under test of soundness C2. This is dealt with in the 'Council Considerations of Representations' Volume 5, Part 3 and page 297.</p> <p>Comment: In the view of the officers of the Council the Minerals Technical Advice Note (MTAN) and the Technical Advice Note (TAN) should be re-issued to bring them into line with the LDP regulations and guidance. This will avoid any conflict between the requirements not to repeat national guidance in LDPs and the requirement of older historical guidance to indicate National guidance.</p>
Test C3	<p>It has regard to the Wales Spatial Plan (WSP)</p> <p>.</p>	<p>(i) Key Question: Does the plan contain any policies or proposals, which are not consistent with the broad strategies of the WSP, and if so, is there a local justification?</p> <p>(i) Response: All of the LDP policies or proposals seek to take full consideration and be consistent with the broad strategies of the Wales Spatial Plan.</p> <p>(i) Evidence:</p> <ul style="list-style-type: none"> • The Deposit Local Development Plan makes direct reference to the Wales Spatial Plan in paragraphs 0.46 – 0.51 of the plan. • A background paper supports each topic area covered in the local development plan, including the requirements of the WSP where relevant. These papers include the relationship and requirements of the broad strategies set out in WSP. • The spatial strategy of the plan reflects the Wales Spatial Plan by dividing the County Borough into three strategy areas as follows; Heads of the Valleys (Turning Heads) and the Northern and Southern Connections Corridors. <hr/>

		<p>Representation: The Home Builders Federation (Representor Ref: 1492. D1-D15) make substantive object to the plan under test of soundness C3, this is dealt with under volume 5 of the council report, page96.</p> <hr/> <p>(ii) Key Question: Does the plan take account of relevant area collaborative work undertaken for the WSP?</p> <p>(ii) Response: A number of joint working projects with authorities in the region have taken place to take account of area collaborative work.</p> <p>(ii) Evidence:</p> <ul style="list-style-type: none"> • Work on the Regional Household Apportionment, which was undertaken through SEWSPG, which is represented on the SE Wales WSP Group. • A South East Wales Consortium, consisting of 8 local planning authorities and CCW was also set up under the auspices of the LDP Pathfinder Group, to create guidance on how to identify and designate landscape protection areas, namely Special Landscape Areas. The guidance "<i>Special Landscape Area Designation Criteria</i>" has now been adopted by CCW as good practice guidance for Wales. • Joint work on the Appropriate Assessment/ Habitat Regulation Assessment. • The Designation of Sites of Importance for Nature Conservation (SINCs) went through a rigorous review process in line with the "Guidelines for the selection of wildlife sites in South Wales" Aug 2004, which was prepared by the Gwent Wildlife Trust on behalf of The South Wales Wildlife Sites Partnership. The review was undertaken by Hyder Consulting and all result were scrutinised and verified by the SINC stakeholder panel. • Regional Transport Plan, South East Wales Transport Alliance.
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Test C4	It has regard to the Community Strategy (CS)	<p>Key Question: Does the plan have regard to the community strategy, by setting out policies and proposals, which deliver key components of that strategy, which are consistent with higher-level planning policy and relate to the use and development of land?</p> <p>Response: The LDP has taken full account of the community strategy and its overarching principles and objectives. All of the policies and proposals within the LDP seek to deliver the key components of the strategy in relation to the use and development of land. The four themes of the community strategy have also been taken into consideration including the Living Environment Partnership Strategy, the Health and Social Care and Well Being Partnership Strategy, the Smart Alternative and the Education for life Partnership Strategy.</p> <p>Evidence:</p> <ul style="list-style-type: none"> • The Deposit Local Development Plan makes direct reference to the Community Strategy in paragraphs 0.62 – 0.65. • Three workshops (LDP Focus group – 13th April 2006, Sustainability Group – 27th April 2006 and Standing Conference 5th May 2006) were undertaken to establish the vision, aims and objectives of the development plan. These were derived from the community strategy. The results of these workshops can be found in the Report of Findings Council Approved Visioning Paper, June 2006. • The Deposit Local Development Plan aims (paragraph 0.92), the key objectives (paragraph 0.93-0.94) and the key components of the strategy (paragraph 1.19) are all derived from the aims and objectives of the community strategy and the other local policy documents. • <i>Section 4 – Objectives from the Community Strategy</i> and <i>Section 6 – Functional Analysis of Community Plan Areas</i> of the Preferred Strategy Appendices Document, April 2007 detail the objectives for the LDP derived from the community strategy themes and how these are going to be implemented by community plan area.
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Coherence and Effectiveness Tests		
Test CE1	<p>The plan sets out a coherent strategy from which its policies and allocations flow and, where cross boundary issues are relevant, it is compatible with the development plans prepared by neighbouring authorities</p>	<p>(i) Key Question: Do the policies and allocations clearly relate to the aims and objectives in the strategy set out in the submitted plan? It may help if policies are cross-referenced to the key aims and objectives?</p> <p>(i) Response: The policies contained within the local development plan were written with the key aims and objectives of the plan in mind and seek to address all of the relevant strategy objectives of the plan, which have been derived from land-use issues emanating from the four themes of the Community Strategy.</p> <p>(i) Evidence:</p> <ul style="list-style-type: none"> • The 25 strategy policies in the local development plan all make reference to the key components of the plan that they meet after the policy text. • The countywide policies and allocations do not make specific reference to the aims and objectives of the plan. However, it is not considered necessary to make these linkages explicit as all of the countywide policies and the area specific policies all seek to deliver the strategy and as such the strategy policies. • Meetings have been held with all of the neighbouring local authorities either on an individual basis or as part of the LDP Pathfinder Group to discuss Cross Boundary issues. Joint working on projects such as the Special Landscape Areas and the Viability Study have sought to ensure that cross boundary working is firmly established and taken into full consideration. <hr/> <p>Representations: The Home Builders Federation has substantive objections to the plan under test of soundness CE1. This is dealt with in Volume 5, page 129, 148 of the 'Council Consideration of Representations'.</p>

		<p>The Welsh Assembly Government have substantive objection to the plan under test of soundness CE1. This is dealt with in volume 5, page 163 (flood issues), page 180, 182 (waste issues) and 253 (Gypsy and Travellers) in the “Council Considerations of Representations’ report.</p> <p>The Environment Agency has substantive objections to the plan under test of soundness C2. These are dealt with in Volume 5, page 301 (contaminated land) of the ‘Council Considerations of Representations’ Report.</p> <hr/> <p>(ii) Key Question: Are the policies within the LDP themselves consistent?</p> <p>(ii) Response: The policies contained within the plan are organised in a hierarchical format starting with the strategy policies which influence the countywide policies, which in turn influence the area specific policies.</p> <p>(ii) Evidence:</p> <ul style="list-style-type: none"> • The 25 strategy policies in Section A of the development plan address the strategic delivery of the Council’s Development Strategy over the plan period (paragraph 1.57 – 1.99) • The 26 countywide policies in Section B of the development plan comprise the criteria-based policies against which development proposals submitted as planning applications across the whole of the County Borough will be determined (paragraphs 2.1 – 2.49). • The 76 area specific policies contain the site-specific allocations where development is expected to be located, and where land use protection areas are to be found (paragraphs 3.1 – 3.254). The realisation of these land allocations, which have been sub-divided into the three strategy areas, within the lifetime of the plan, will ensure the success of the development strategy.
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		<p>Note: as a result of Focused Changes the number of policies in the plan would change.</p> <hr/> <p>(iii) Key Question: Are there any obvious gaps in the coverage of the plan having regard to its purpose and the relevant requirements set out in national policy?</p> <p>(iii) Response: No.</p> <hr/> <p>(iv) Key Question: Is it clear how the plan relates to those prepared by neighbouring authorities and how cross-boundary issues have been addressed?</p> <p>(iv) Response: Every attempt has been made to consult with neighbouring authorities and to address cross-boundary issues as far as practically possible given the different timescales that each Local Authority is pursuing in the preparation of the individual LDPs.</p> <p>(iv) Evidence:</p> <ul style="list-style-type: none"> • Caerphilly is ahead of most adjoining authorities in the preparation of its LDP, and this has limited the extent to which it has been possible to take account of the strategies of these authorities, although this has been considered wherever possible. • However, numerous meetings have been held with adjoining local planning authorities to discuss cross boundary issues, and this work is reflected in the Plan. These meetings have been held individually, through the LDP Pathfinder group, and South East Wales Strategic Planning Group (SEWSPG) • Regular meetings have been held regarding the designation and locations of Special Landscape Areas between all neighbouring authorities.
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		<ul style="list-style-type: none"> SINC designations were discussed at the Greater Gwent Biodiversity Action Group (GGBAG) and Glamorgan Biodiversity Action Group (GlamBag). Further detailed discussions between Caerphilly, Merthyr and RCT have taken place when drawing up localised designations for mid valleys area. The county ecologists undertook this work. <hr/> <p>(v) Key Question: Where there are overlaps, are these consistent/ complementary?</p> <p>(v) Response: Every attempt has been made to marry cross-boundary overlays and to ensure that these are consistent and complimentary. However, due to Caerphilly CBC's position as the first authority planning to go out on deposit and the vast differences in the adjoining authorities stages of plan preparation, it has been impracticable to undertake this level of consultation and ensure all overlaps have been addressed at this stage.</p> <p>(v) Evidence:</p> <ul style="list-style-type: none"> Please see evidence to CE1 (iv)
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.	<p>(i) Key Question: Is it clear that the LPA considered the relevant options and alternatives in preparing the plan? LPAs will not be expected to deal with every possible alternative or option but they will be expected to consider those put to them during the process of preparation and engagement?</p> <p>(i) Response: The relevant options and alternatives within the plan were determined at the preferred strategy stage. The deposit Local Development Plan does highlight the plan preparation process including the options and alternatives.</p> <p>(i) Evidence:</p>

		<ul style="list-style-type: none"> • Please see answer to C4 – Evidence. This highlights the plan preparation process and the process for identifying the relevant options and alternatives for the preferred strategy. • The Preferred Strategy Document, April 2007 details the three Alternative Strategies that were identified through community involvement, and the preferred option that was taken forward and was a combination of the best elements of the three original strategies proposed (Section 6 – Development Options including the Preferred Strategy, Paragraphs 6.1 – 6.99). • All of the sites that were submitted in 2005 for consideration as possible allocations within the LDP underwent a rigorous assessment procedure, which is detailed in background paper 14: Site Assessment Methodology. • Fourteen background papers were written that set out the detailed information and reasoning behind the policies and proposals and included Population and Housing, Employment, Tourism, Leisure and Natural Heritage. • The self-assessment tests of soundness for the preferred strategy (Appendix 11) provide more details on the above process. • The written statement of the plan clearly identifies in the introduction section the development plan process, including the plan preparation procedure and the preferred strategy consultation stage (Paragraphs 0.01 – 0.39). • Appendix 20: Delivery and Implementation provides details of how it is anticipated the allocations within the plan will be delivered throughout the course of the plan period. <hr/> <p>(ii) Key Question: Are the assumptions in the LDP set out clearly and supported by evidence?</p> <p>(ii) Response: The assumptions of the plan are based upon the most up to date information available at time of preparing the local development plan.</p>
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		<p>(ii) Evidence:</p> <ul style="list-style-type: none"> • The supporting documents of the plan, including the 14-background paper and the SA/ SEA assessments provide the required evidence that support the assumptions of the plan and detail the decisions made in the plan in relation to the most up to date information available at the time. • The Deposit Local Development Plan makes reference to a number of key documents (paragraph 0.1 – 0.65) • The Deposit Local Development Plan also makes reference to statistical information in the Key Land Use Issues section that sets the context of the plan and the decisions and assumptions made within the plan (paragraphs 0.66 – 0.88). This information has been taken from the most up to date and/or relevant sources. <hr/> <p>(iii) Key Questions: Does the evidence clearly support the plan's strategy and policies?</p> <p>(iii) Response: The plan's strategy and policies are clearly supported by the evidence provided in the preferred strategy, the reports of consultation, background papers, SEA/SA etc.</p> <p>(iii) Evidence:</p> <ul style="list-style-type: none"> • Please see evidence to CE2 (ii). <hr/> <p>(iv) Key Question:</p> <ul style="list-style-type: none"> • Is the evidence robust and credible and has it been prepared in accordance with national planning policy and good practice guidance? <p>(iv) Response: Where national planning policy and good practice guidance exists the evidence that supports the plan has been used to ensure the plan is evidenced and robust.</p>
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		<p>(iv) Evidence:</p> <ul style="list-style-type: none"> • The Strategy has been provided in accordance with the Wales Spatial Plan. • The Special Landscape Area designations were identified using the <i>SLA designation methodology and criteria, July 2007</i>, which is now adopted by CCW as national guidance. • The Visually Important Local Landscapes were identified using an adapted version of the <i>SLA designation Methodology and Criteria, July 2007</i> • The Sites of Importance for Nature Conservation were identified using <i>the Guidelines for the Selection of Wildlife Sites in South Wales, August 2004</i> which is regional guidance. • A Viability Study has been undertaken to ensure that housing sites in the plan are capable of delivery. <hr/> <p>(v) Key Question: Where a balance has been struck in taking decisions between competing alternatives – is it clear how those decisions have been taken?</p> <p>(v) Response: The preferred strategy and subsequent report of consultation identify how and when decisions concerning competing alternatives have been taken.</p> <p>(v) Evidence: Please see the evidence presented in the preferred strategy documents and appendices;</p> <ul style="list-style-type: none"> • Local Development Plan Preferred Strategy - April 2007 • Local Development Plan Preferred Strategy – Appendices - April 2007 • Local Development Plan Strategic Environmental Assessment/ Sustainability Appraisal Part 1 – Document 1 – The Scoping Report • Local Development Plan Strategic Environmental Assessment/ Sustainability Appraisal Part 1 – Document 2 – The review of relevant plans, programmes and policies –
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		<ul style="list-style-type: none"> Local Development Plan Strategic Environmental Assessment/ Sustainability Appraisal Part 1 – Document 3 – The Assessment of the Preferred and Alternative Strategies. <hr/> <p>Representation</p> <p>Welsh Assembly Government has substantive objections to the plan under test of soundness CE2. This is dealt with in Volume 1, Part 1, page 13 and Volume 5, page 163 (flood issues), page 180, 182 (waste issues), 253 (Gypsy and Travellers) in the “Council Considerations of Representations’ report.</p> <p>The Home Builders Federation has substantive objections to the plan under test of soundness CE2. This is dealt with under Volume 1, Part 1 (Population and Housing) and Volume 5, page 133, 148, 171 (policy SP10) of the ‘Council Consideration of Representations’.</p> <p>The Environment Agency has substantive objections to the plan in relation to flood issues under test of soundness CE2. These are dealt with in Volume 4, page 173 (St Ilans Comprehensive) and Volume 5, page 163 of the ‘Council Considerations of Representations’ Report.</p>
Test CE3	There are clear mechanisms for implementation and monitoring	<p>(i) Key Question: Does the plan contain realistic targets and milestones, which relate to the delivery of the policies?</p> <p>(i) Response: The plan contains targets and milestones that directly relate to national guidance and legislation and seek to implement the delivery of these targets through the appropriate policies.</p> <p>(i) Evidence: A number of strategy, countywide and area specific policies contain targets and milestones, these are;</p> <ul style="list-style-type: none"> SP9 – Minerals Safeguarding (paragraph 1.69)

		<ul style="list-style-type: none"> • SP10 – Renewable Energy (paragraph 1.70 – 1.72) • SP11 – Waste Management (paragraph 1.73) • SP16 – Total Housing Requirements (paragraph 1.83-1.84) • SP17 – Affordable Housing Target (paragraph 1.85-1.86) • SP18 – Managing Employment Growth (paragraph 1.87 – 1.88) • SP19 – Promoting Commercial Development (paragraph 1.89 – 1.90) • CW1 – Sustainable Buildings (paragraph 2.6 – 2.11) • CW13 – Leisure and Open Space Provision (paragraph 2.25 – 2.27) • CW14 – Affordable Housing Planning Obligation (paragraph 2.28 – 2.30) • HG1 – Allocated Housing Sites (paragraphs 3.30 – 3.34, 3.112 – 3.116, 3.202-3.306) • EM1 – Employment Allocations (paragraph 3.35, 3.117, 3.207-3.209) • CM4 – Principal Town and Key Settlement Development Sites (paragraph 3.41, 3.133, 3.222) • Appendix 18: Sustainability Objectives and Monitoring Indicators sets indicators and targets and sets out the source of the information, and aims to provide a monitoring process for delivering the plan. • Appendix 19: Monitoring of Strategic Policies: Targets and Indicators identifies the strategic policy within the plan and what targets and indicators have been identified to monitor the deliverability and success of the strategic policies. <p>Note: as a result of Focused Changes the number of policies in the plan would change.</p> <hr/> <p>(ii) Key Question: Is it clear how these are to be measured and how they are linked to the production of the annual monitoring report?</p> <p>(ii) Response: The Deposit Local Development Plan includes a section in the written statement and appendices that state how the targets and goals set out in the plan will be measured and linked to the annual monitoring report.</p>
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		<p>(ii) Evidence:</p> <ul style="list-style-type: none"> • Deposit Local Development Plan Written statement paragraphs 0.95 – 0.107. • Deposit Local Development Plan Appendix 17 – National Core Indicators • Deposit Local Development Plan Appendix 18 – Sustainability Objectives and Monitoring Indicators • Deposit Local Development Plan Appendix 19 – Monitoring of Strategic Policies: Targets and Indicators <hr/> <p>(iii) Key Question: Are the delivery mechanisms and timescale for implementation of the policies clearly identified?</p> <p>(iii) Response: The delivery and implementation appendix (Appendix 20) of the local development plan clearly identifies all of the allocations contained within the plan (excluding protection policies and how, when and by whom it is anticipated they will be implemented and delivered throughout the plan period.</p> <p>(iii) Evidence:</p> <ul style="list-style-type: none"> • Deposit Local Development Plan Appendix 20 – Delivery and Implementation. <hr/> <p>(iv) Key Question: Is it clear who is intended to implement each policy? Where the actions required are outside the direct control of the LPA is there evidence that there is the necessary commitment from the relevant organisation?</p> <p>(iv) Response: The delivery and implementation appendix (Appendix 20) of the local development plan clearly identifies all of the allocations contained within the plan (excluding the protection policies) and how, when and by whom it is anticipated they will be implemented and</p>
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		<p>delivered throughout the plan period. The relevant internal departments and external organisation have been consulted to ascertain the necessary commitment, as far as reasonably possible, in order to implement the policies.</p> <p>(iv) Evidence:</p> <ul style="list-style-type: none"> • Deposit Local Development Plan Appendix 20 – Delivery & Implementation <hr/> <p>(v) Key Question: Do the processes for measuring success of the plan accord with national planning policy and best practice guidance?</p> <p>(v) Response: The plan has taken the advice and guidance as set out in national planning policy and set out a monitoring and implementation programme for the lifetime of the plan in order to measure the success of the local development plan.</p> <p>(v) Evidence:</p> <ul style="list-style-type: none"> • Deposit Local Development Plan Written statement paragraphs 0.95 – 0.107. • Deposit Local Development Plan Appendix 17 – National Core Indicators • Deposit Local Development Plan Appendix 18 – Sustainability Objectives and Monitoring Indicators • Deposit Local Development Plan Appendix 19 – Monitoring of Strategic Policies: Targets and Indicators. <hr/> <p>(vi) Key Question: Does the plan set out the factors essential to the delivery of key policy objectives of the plan?</p> <p>(vi) Response: The plan identifies the key land use issues and the key issues affecting each of the strategy areas, these factors are directly related to the key policy objectives of the plan. The</p>
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		<p>identification of these issues are accompanied by the essential delivery mechanisms of the plan that will seek to address these factors and issues.</p> <p>(vi) Evidence:</p> <ul style="list-style-type: none"> • The key objectives of the plan (Paragraphs 0.93 - 0.94), the land use issues (Paragraphs 0.66 – 0.88) and the development strategy section (Section A, Paragraphs 1.1-1.56) provides the factors essential to the delivery of the key policy objectives of the plan. • The monitoring and implementation mechanism of the plan (Paragraphs 0.95 – 0.107) sets out the general delivery of the plan, but does not make reference to the delivery of the key objectives of the plan specifically. • Appendix 18: Sustainability Objectives and Monitoring Indicators of the Deposit Local Development Plan sets out the objectives from the community strategy, the indicator and the target. The key policy objectives of the plan are derived from these community strategy objectives, although no direct linkages between the two are identified. • Appendix 19: Monitoring of Strategic Policies: Targets and Indicators of the Deposit Local Development Plan identifies the strategy policy and the targets and indicators related to it. Whilst the strategy policies have been created with the key policy objectives in mind, no direct linkages have been made between the monitoring of the policies and the key policy objectives it fulfils. <hr/> <p>Representations:</p> <p>The Home Builders Federation has substantive objections to the plan under test of soundness CE3. These are dealt with in Volume 5, page 171 (policy SP10), 211 (Policy CW1) of the ‘Council Consideration of Representations’ report</p> <p>The Welsh Assembly Government has substantive objections to the plan under test of</p>
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		soundness CE3. These are dealt with under Volume 1, Part 1in of the 'Council Consideration of Representations' report
Test CE4	It is reasonably flexible to enable it to deal with changing circumstances.	<p>(i) Key Question: Is the plan flexible enough to respond to a variety of, or unexpected changes, in circumstances?</p> <p>(i) Response: An over allocation of land for housing and employment land for example, enables a choice of sites for development and allows the plan and potential developers to respond to unexpected changes and circumstances.</p> <p>(i) Evidence:</p> <ul style="list-style-type: none"> Over-allocation of land for housing is set out in the Deposit LDP (paragraph 1.83) and the Population and Housing Background Paper <hr/> <p>(ii) Key Question: Are development control policies written in a form to enable them to provide a robust and consistent framework for considering planning applications?</p> <p>(ii) Response: The development control policies, also known as the countywide policies, are criteria based policies that provide a framework for planning applications to be considered against. The countywide policies are supported by a reasoned justification that describes in more detail the purpose and requirements of the policy. The area specific allocations set out the exact locations of both protection policies and allocations that development control are</p>

		<p>seeking to implement.</p> <p>(ii) Evidence:</p> <ul style="list-style-type: none"> • There are 26 countywide criteria based policies contained within Section B of the plan Deposit Local Development Plan (Paragraphs 2.1 – 2.49). • The area specific policies are contained within Section C of the Deposit LDP (Paragraphs 3.1 – 3.357). <p>Note: as a result of Focused Changes the number of policies in the plan would change.</p> <p>Representation:</p> <p>The Home Builders Federation have substantive objections to the plan under test of soundness CE4. This is dealt with in Volume 5, page 129, 148, 163 (Policy SP08), 171 (policy SP10) of the 'Council Consideration of Representations'.</p> <p>The Welsh Assembly Government has substantive objections to the plan under test of soundness CE4. These are dealt with in Volume 1, Part 1 (Population and Housing) and Volume 5, page 211 (Policy CW1) of the 'Council Consideration of Representations' report.</p> <p>The Environment Agency has substantive objections to the plan under test of soundness CE4. These are dealt with in Volume 5, page 301 (contaminated land) of the 'Council Considerations of Representations' Report.</p>
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Appendix 8

Equality Impact Assessment

APPENDIX 8 EQUALITY IMPACT ASSESSMENT

Document: Caerphilly Deposit Local Development Plan

Prepared by: Rhian Kyte, Team Leader, Strategic & Development Plans

PURPOSE

1. What is the strategy intended to achieve?

The LDP is the Council's over-arching land-use strategy for the period up to 2021. The Plan identifies land suitable for all types of development, and areas that should be protected from development.

The principles underlying the LDP (i.e. the Vision, Aims, and Objectives) were derived from the Community Strategy, through the participation of key stakeholders. The principles of sustainable development and equalities underpin both the Community Strategy and the LDP.

2. Who is the strategy for?

The LDP directly affects all residents of the county borough, and many organisations and development agencies, through the land-use allocations made in the Plan.

IMPACT ON THE PUBLIC AND STAFF

3. Does the policy ensure that women and men, different racial groups, Welsh speakers and disabled people have an equal access to all the services available?

The policies and proposals of the LDP apply to all groups and individuals in the county borough.

Efforts were made to secure the participation of all groups in the plan preparation process, for example, by ensuring that the Stakeholder Panel was fully representative.

These efforts were not always successful, because it proved difficult to secure the participation of some groups in the process: for example, young people, and Gypsies & Travellers.

4. What are the indirect consequences of the strategy for particular groups?

This is a difficult question to answer, because the policies and proposals in the LDP are very wide-ranging in their effects, and the particular groups referred to both unspecified and potentially very numerous. This perhaps is more relevant to individual Council policies, rather than Council strategies?

INFORMATION COLLECTION

5. Is full information and analysis of users of the strategy available?

This perhaps relates more to the participation in the preparation of the LDP, rather than its content.

Demographic information was requested on all those wishing to be placed on the LDP Consultation Database, from which it is clear that the main characteristic of respondents is the unbalanced age structure, the young being noticeably under-represented.

One Group that proved difficult to engage in the plan preparation process was that of Gypsies & Travellers: it was not possible to identify any individual members of this Group to obtain their views, and organisations representing the Group were unwilling to become involved.

CONSULTATION

6. What consultation has taken place?

Extensive consultation has taken place to ensure that all views have been taken into account in the preparation of the Deposit LDP.

Full details, including a list of the organisations consulted in the preparation of the Plan, are contained in the Initial Consultation Report Appendix 1.

MONITORING & REVIEW

7. How will the strategy be monitored?

WAG Planning Guidance requires authorities to establish a Monitoring procedure, detailing Indicators and Targets to assess the progress of implementation of the LDP. The results will be reported in an Annual Monitoring Report on the LDP.

8. How will the strategy be evaluated?

The LDP will be subject to review on a four-yearly cycle. This review will provide the opportunity to assess the implications of the Plan for particular Groups, and to modify the policies and proposals of the Plan to remedy any deficiencies.

9. Could it be done better next time?

It is recognised that there are always improvements that could be made in both the Plan and the preparation process. It is hoped that the extensive documentation that exists on the preparation of the first Caerphilly LDP, together with the active involvement of the numerous participants and representors, will ensure that improvements are made in the First Review of the Plan.