

2. Introduction

2.1 PARAGRAPHS 2.1.1 – 2.1.4 Sustainable Development

Objections

DO/51209/1619	Countryside Council for Wales
DO/51208/1591	RSPB Cymru
DO/51208/1592	RSPB Cymru
DO/51184/1413	Coed Cadw Woodland Trust (see section 2.10 below)

Issues

2.1.1 These are:

- Whether or not the second bullet in para 2.1.2 should refer to environmental enhancement and restoration as well as protection;
- Whether or not para 2.1.3 should be re-worded to reflect the principle that new development should be integrated with the environment.

Conclusions

2.1.2 On the first issue, the RSPB argues that more positive action than protection will sometimes be needed to achieve sustainable development, so that enhancement and restoration should be added to the second bullet point. However, these bullet points are taken from national policy and, in my opinion, they give the essence of sustainable development objectives in a concise manner.

2.1.3 On the second issue, objectors point to the need for policy integration as opposed to securing a balance between interests, in the pursuit of sustainable development. PPWales, published after the deposit UDP and PIMS, describes a process of integrating and balancing objectives. The Council has proposed a change to para 2.1.3 of the UDP to be consistent with this guidance. I consider that this goes some way to address the concerns of objectors, though I recommend additional re-wording to make clear that all four objectives have to be considered.

2.1.4 The PIMS proposes an amended title for this chapter. The amendment will make clear that this is the introduction to Part 2 policies, and will be helpful to readers.

Recommendation

2.1.5 I recommend that the title to the chapter be amended as shown in the PIMS.

2.1.6 I recommend that para 2.1.3 be modified so as to read: '...and it is a primary concern of this Unitary Development Plan to balance and integrate the above objectives when new development is proposed. In this context'

2.1.7 I recommend that no other modifications be made to paras 2.1.1 to 2.1.4 of the Plan.

2.2 PARAGRAPH 2.2.1 Aims & Objectives - Environment

Objections

DO/51209/1620	Countryside Council for Wales
DO/51209/1621	Countryside Council for Wales
DO/51208/1593	RSPB Cymru
DO/51208/1594	RSPB Cymru

Issues

2.2.1 These are:

- Whether or not the aims and objectives should be accompanied by performance indicators and targets;
- Whether or not the second aim/objective should be a policy; and
- Whether or not reference should be made in it to the Local Biodiversity Action Plan.

Conclusions

2.2.2 On the question of performance indicators and targets, the Council contends that this matter would be better dealt with through the 'Wales Programme for Improvement' rather than within the UDP. I agree that this approach would be preferable in the interests of producing a concise Plan. I also agree with the Council on the second issue, that the second bullet defines a clear objective which guides Part 2 policies, notably those in section 3.9 of the UDP. A reference is made to para 37 of the Conservation (Natural Habitats &c) Regulations 1994 in para 3.9.18 of the Plan.

2.2.3 On the third issue, the Local Biodiversity Action Plan was approved by the Council as Supplementary Planning Guidance (SPG) in June 2002 after publication of the PIMS. The Council is content that the second aim/objective should be extended to refer to co-ordination with the Local Biodiversity Action Plan. I conclude that this would be beneficial for users of the Plan.

Recommendation

2.2.4 I recommend that para 2.2.1 of the Plan be amended in respect of the second aim/objective, so that it reads:

'To promote and conserve the biodiversity of the County Borough and to encourage the management of features of the landscape which are of major importance for wild flora and fauna, in co-ordination with the Council's approved Local Biodiversity Action Plan.'

2.3 PARAGRAPH 2.2.2 Aims & Objectives - Housing

Objection

DO/51208/1595	RSPB Cymru
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Issue

2.3.1 This is whether or not the first aim/objective should indicate that housing development will occur at an average density of 30 dwellings per hectare.

Conclusions

2.3.2 A high proportion of the sites allocated for new housing development have already received planning permission, and I accept the Council's argument that it would now be difficult to achieve densities of 30 dwellings a hectare on all these sites. A figure of 30 dwellings per hectare has been adopted for estimating the capacity of other allocated sites in the UDP, and I consider this to be consistent with making efficient use of land and limiting environmental harm. I conclude that the aim/objective need not be changed.

Recommendation

2.3.3 I recommend that no modification be made to para 2.2.2.

2.4 PARAGRAPH 2.2.3 Aims & Objectives - Employment

Objection

DO/51208/1596 RSPB Cymru

Issue

2.4.1 This is whether or not the second aim/objective should end with 'providing they do not conflict with other policies in the Plan.'

Conclusions

2.4.2 The PIMS proposes new paras 1.1.7 and 1.1.8, which confirm that all relevant policies will be taken into account when new development is assessed. I consider that it would be unwieldy if the Plan repeatedly stated that other policies would also need to be considered. I conclude that there is no need to amend this part of the Plan.

Recommendation

2.4.3 I recommend that no modification be made.

2.5 PARAGRAPH 2.2.6 Aims & Objectives – Tourism & Leisure

Objection

DO/51209/1622 Countryside Council for Wales

Issue

2.5.1 This is whether or not the first aim/objective should be to integrate the various needs rather than to balance them.

Conclusions

2.5.2 The Council has proposed an alteration to the wording of para 2.1.3 which, in my view, would bring the aims/objectives in line with the thrust of section 2.1 of PPWales. Section 2.1 of my report above describes my recommendation on that proposed alteration. In the interests of consistency, I consider that the first aim/objective for tourism and leisure should also refer to integrating as well as balancing the relevant factors.

Recommendation

2.5.3 I recommend that the first aim/objective be modified so as to read:

'To balance and integrate the needs of tourism, host communities and the environment,.....'

2.6 PARAGRAPH 2.2.9 Aims & Objectives - Minerals

Objection

DO/51209/1623 Countryside Council for Wales

Issue

2.6.1 This is whether or not the fourth aim/objective should define an approach based on rigorous environmental criteria.

Conclusions

2.6.2 It is not wholly clear what change the objector seeks to achieve. I accept the Council's position that it has sought to state the aims and objectives as concisely as possible. I consider that rigorous environmental criteria would be more appropriately given in Part 2 of the UDP. Section 11.6 of the deposit UDP outlines the position regarding coal extraction in the County Borough, and Policy M2 is a criteria-based policy against which applications for mineral extraction would be assessed. I conclude that there is no need to introduce environmental criteria into para 2.2.9.

Recommendation

2.6.3 I recommend that no modification be made.

2.7 PARAGRAPH 2.2.10 Aims & Objectives – Waste Disposal

Objection

DO/51209/1624 Countryside Council for Wales

Issue

2.7.1 This is whether or not the aim/objective should refer to the 'best practicable environmental option' (BPEO), the waste hierarchy and the proximity principle.

Conclusions

2.7.2 The Council argues that these aspects of waste management and disposal are too detailed for inclusion in an over-arching aim or objective. In my response to objections to Part 1 policy, I conclude that, in line with national policy, there should be references to reducing disposal by landfill and the proximity principle. As the Council points out, Chapter 12 of the UDP covers these matters and BPEO, explaining that they are contained in Waste Strategy 2000 (CD112). I consider that this objection could be met, and the aim/objective for waste planning kept brief, if reference were made to the Waste Strategy.

Recommendation

2.7.3 I recommend that the policy be modified as follows:

- 'To make provision for a range of waste management and disposal facilities in line with the objectives set out in Waste Strategy 2000, England and Wales.'

2.8 PARAGRAPH 2.2.12 Aims & Objectives – Energy & Utilities

Objection

DO/51209/1625

Countryside Council for Wales

Issue

2.8.1 This is whether or not reference to energy efficiency (demand management) should be made in this paragraph, for example through appropriate siting, orientation and design.

Conclusions

2.8.2 Meeting energy needs and the potential for exploiting renewable sources are covered in Part 1 Policy 20 and in Part 2 Chapter 14 of the UDP. Policy U1 and the preceding text in paras 14.4.5 and 14.4.6 refer to more efficient use and **reducing the need** for energy. The preferred land use strategy underlying the UDP favours limited dispersal of new development in the main urban areas and on brownfield sites. The Plan's transportation policies are directed at reducing reliance on the private car. In my opinion, these are wholly consistent with the aim of managing the demand for energy, which the objector seeks to emphasise. I consider that it would strengthen the Plan if this policy incorporated the aim of greater energy efficiency through good development design. PPWales para 12.9.3 supports this approach.

2.8.3 In the interests of internal consistency in this paragraph, I shall recommend minor wording to the aim/objective which has already been drafted.

Recommendation

2.8.4 I recommend that the paragraph be modified as follows :

- ' To increase energy efficiency through appropriate development design, having regard for features such as the layout, orientation, mix of uses, density of development, use of materials and landscaping;
- To ensure that the County Borough's reasonable needs for energy and utilities are satisfied, and the area's energy potential from local renewable sources and water usage is optimised, consistent with the need to conserve the environment.'

2.9 PARAGRAPHS 2.3.1 – 2.3.12 Land Use Strategy

Objections

DO/51148/1330

Welsh Language Board

Other objections to this section are addressed in Chapter 4, Housing Land Requirement.

Issue

2.9.1 On the objection from the Welsh Language Board, the main issue is whether or not the Plan has followed the advice in Planning Guidance (Wales) TAN 20 (CD6) and taken sufficient account of the needs and interests of the Welsh language.

Conclusions

2.9.2 The Welsh Language Board argues that the deposit Plan does not fully reflect advice in TAN 20. However, it concedes that, given the linguistic character of the County Borough, there would not be a significant effect on planning for housing and the economy. The objector argues that the Welsh language is a visual factor. Bilingual signs and display boards are a mechanism for promoting the distinctive culture of Wales, aiding marketing and tourism. The Council draws attention to the fact that the Board has made no objection to the Outdoor Advertisement Control policy (EV53) in the UDP. The Council also advises that it will be reviewing its SPG on aspects of design, including shop fronts and its approach to bilingual signage. TAN 20, para 14, indicates that detailed advice on signs and advertising could be set out in SPG. Bearing all these factors in mind, I conclude that the policies and text of the UDP take sufficient account of TAN 20 and the needs and interests of the Welsh language.

2.9.3 On the matter of consultation for the UDP, the Council argues that its procedures have been in accordance with its own resolution of November 1997, on the application of its Welsh Language Policy. The scope for translation services to anyone wishing to make their objection in Welsh to the UDP Inquiry was announced at the Pre-Inquiry meeting on 8 January 2002. I am satisfied, on the evidence before me, that anyone wishing to use the Welsh language has had the opportunity to do so, as required by Planning Guidance (Wales) TAN 20.

Recommendation

2.9.4 I recommend that no modification be made.

2.10 PARAGRAPHS 2.4.1 – 2.4.2 Sustainability Appraisal

Objections

DO/51184/1413 Coed Cadw Woodland Trust

Issue

2.10.1 The main issue is whether or not the Sustainability Appraisal dealt with all the likely consequences of policies in the Plan.

Conclusions

2.10.2 The objector welcomes the production of the Sustainability Appraisal, but contends that it failed to pick up the magnitude of some of the negative effects of proposed policies. The Trust then goes on to raise objection to a number of specified policies. I accept the Council's argument that the consultants who undertook the independent Appraisal were experienced specialists in the field, who adopted a robust and methodical approach, which enabled them to assess each of the policies fairly and comprehensively. I see no reason to alter the description of the Sustainability Appraisal in the UDP. I shall deal with the specific policy objections made by the Trust in the appropriate chapters.

Recommendation

2.10.3 I recommend that no modification be made to the Plan.

2.11 PARAGRAPHS 2.5.1 – 2.5.3 Related Strategies

Objections

DO/51192/1448 Llynfi Valley Forum
DO/51208/1597 RSPB Cymru

Issue

2.11.1 This is whether or not it is reasonable to describe the Local Agenda 21 strategy as 'non-land use based'.

Conclusions

2.11.2 The RSPB argues that Local Agenda 21 strategies do address land use issues, and 'non-land use' should be deleted from para 2.5.1 of the UDP. However, the strategies are multi-faceted and designed to achieve sustainable development in a variety of ways not simply through land use planning. I therefore consider that the text of the UDP is accurate and need not be changed.

2.11.3 The Council has proposed additional paragraphs for this section of the UDP, to explain the role and progress on preparing a Community Strategy. I consider that it would be helpful for plan users to understand the relationship of the UDP to this broader strategy. The Llynfi Valley Forum identified an error in para 2.5.2 of the UDP, where the Llynfi Valley

regeneration strategy was misnamed. The Council corrected this in the PIMS, and I shall recommend that the name be changed.

Recommendation

2.11.4 I recommend that section 2.5 be extended and modified as shown in the PIMS.