



RHONDDA CYNON TAF

**COFNOD O BENDERFYNIAD WEDI'I DDIRPRWYO GAN SWYDDOG  
RECORD OF DELEGATED OFFICER DECISION**

Penderfyniad Allweddol | Key Decision ✓

**PWNC | SUBJECT: DELIVERY OF HOUSING THROUGH THE PLANNING SYSTEM:  
REVISIONS TO PLANNING POLICY WALES AND ASSOCIATED ADVICE AND  
GUIDANCE**

**DIBEN YR ADRODDIAD | PURPOSE OF THE REPORT:**

In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the intended officer decision of the Director of Prosperity and Development, as described below.

The purpose of the report is: To seek approval to make representations to the Welsh Government consultation on Delivery of housing through the planning system - Revisions to Planning Policy Wales and associated advice and guidance.

**PENDERFYNIAD WEDI'I DDIRPRWYO | DELEGATED DECISION:**

To seek approval to make representations to the Welsh Government consultation on Delivery of housing through the planning system - Revisions to Planning Policy Wales and associated advice and guidance.

**Llofnod y Prif Swyddog**  
Chief Officer Signature

SIMON GALE

**Enw (priflythrennau)**  
Name (Print Name)

13.11.19

**Dyddiad**  
Date

Mae'r penderfyniad yn cael ei wneud yn unol ag Adran 15 o Ddeddf Llywodraeth Leol 2000 (Swyddogaethau'r Corff Gweithredol) ac yn y cylch gorchwyl sy wedi'i nodi yn Adran 5 o Ran 3 o Gyfansoddiad y Cyngor.

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution.

YMGYNGHORI | CONSULTATION

A. Morgan

13/11/19

LLOFNOD YR AELOD YMGYNGHOROL O'R CABINET  
CONSULTEE CABINET MEMBER SIGNATURE

DYDDIAD | DATE

LLOFNOD SWYDDOG YMGYNGHOROL  
CONSULTEE OFFICER SIGNATURE

DYDDIAD | DATE

**RHEOLAU'R WEITHDREFN GALW-I-MEWN | CALL IN PROCEDURE RULES.**

**A YW'R PENDERFYNIAD YN UN BRYN A HEB FOD YN DESTUN PROSES GALW-I-MEWN GAN Y PWYLLGOR TROSOLWG A CHRAFFU?:**

**IS THE DECISION DEEMED URGENT AND NOT SUBJECT TO CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:**

**YDY | YES      NAC YDY | NO✓**

**Rheswm dros fod yn fater brys | Reason for Urgency:**

.....

***Os yw'n cael ei ystyried yn fater brys - llofnod y Llywydd, y Dirprwy Lywydd neu Bennaeth y Gwasanaeth Cyflogedig yn cadarnhau cytundeb fod y penderfyniad arfaethedig yn rhesymol yn yr holl amgylchiadau iddo gael ei drin fel mater brys, yn unol â rheol gweithdrefn trosolwg a chraffu 17.2:***

*If deemed urgent - signature of Presiding Member or Deputy Presiding Member or Head of Paid Service confirming agreement that the proposed decision is reasonable in all the circumstances for it being treated as a matter of urgency, in accordance with the overview and scrutiny procedure rule 17.2:*

.....      .....

**(Llywydd |Presiding Member)    (Dyddiad|Date)**

**DS - Os yw hwn yn benderfyniad sy'n cael ei ail-ystyried yna does dim modd galw'r penderfyniad i mewn a bydd y penderfyniad yn dod i rym o'r dyddiad mae'r penderfyniad wedi'i lofnodi.**

**NB - If this is a reconsidered decision then the decision Cannot be Called In and the decision will take effect from the date the decision is signed.**

DYDDIADAU CYHOEDDI A GWEITHREDU | PUBLICATION & IMPLEMENTATION DATES

CYHOEDDI | PUBLICATION

Cyhoeddi ar Wefan y Cyngor | Publication on the Councils Website:- 13<sup>th</sup> November 19

DYDDIAD | DATE

GWEITHREDU'R PENDERFYNIAD | IMPLEMENTATION OF THE DECISION

**Nodwch:** Fydd y penderfyniad hwn ddim yn dod i rym nac yn cael ei weithredu'n llawn nes cyn pen 3 diwrnod gwaith ar ôl ei gyhoeddi. Nod hyn yw ei alluogi i gael ei "Alw i Mewn" yn unol â Rheol 17.1, Rheolau Gweithdrefn Trosolwg a Chraffu.

**Note:** This decision will not come into force and may not be implemented until the expiry of 3 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

Yn amodol ar y drefn "Galw i Mewn", caiff y penderfyniad ei roi ar waith ar / Subject to Call In the implementation date will be

19<sup>th</sup> November 19  
DYDDIAD / DATE

WEDI'I GYMERADWYO I'W GYHOEDDI: ✓ | APPROVED FOR PUBLICATION : ✓

**Rhagor o wybodaeth | Further Information:**

Cyfadran   Directorate:	Prosperity and Development
Enw'r Person Cyswilt   Contact Name:	Simon Gale
Swydd   Designation:	Director of Prosperity and Development
Rhif Ffôn   Telephone Number:	01443 281114



## **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

### **A REPORT TO ACCOMPANY A DECISION OF THE DIRECTOR OF PROSPERITY AND DEVELOPMENT**

**NOVEMBER 2019**

#### **WELSH GOVERNMENT CONSULTATION: DELIVERY OF HOUSING THROUGH THE PLANNING SYSTEM: REVISIONS TO PLANNING POLICY WALES AND ASSOCIATED ADVICE AND GUIDANCE**

**AUTHOR: OWEN JONES DEVELOPMENT SERVICES MANAGER**

#### **1.0 PURPOSE OF THE REPORT**

- 1.1 The purpose of the report is to seek approval to make representations on behalf of the Council to the Welsh Government consultation on 'Delivery of housing through the planning system - Revisions to Planning Policy Wales and associated advice and guidance'.

#### **2.0 RECOMMENDATIONS**

- 2.1 It is recommended that approval is given to make representations on this Welsh Government consultation, as set out in section 4 below.

#### **3.0 REASON FOR RECOMMENDATION**

- 3.1 The Welsh Government is consulting on changes to Planning Policy Wales in response to the 'Call for Evidence' which formed the first part of the review of housing delivery through the planning system. This consultation also covers consequential changes to procedural advice currently set out in Technical Advice Note 1, Joint Housing Land Availability Studies (TAN 1), and in the Development Plans Manual.
- 3.2 The planning system, through the Local Development Plan (LDP) process, must provide the land needed to build the new homes which local planning authorities have identified as being required.
- 3.3 To ensure that sufficient land is available to meet their housing requirements, local planning authorities are currently required by Welsh Government policy to demonstrate that they have a five-year supply of deliverable land for housing. The policy requires authorities to monitor this position on an annual basis through the preparation of a 'Joint Housing Land Availability Study' (JHLAS),

with input from developers and other stakeholders. The methodology for calculating the housing land supply figure is set out in Technical Advice Note 1, Joint Housing Land Availability Studies (TAN 1).

- 3.4 The monitoring of housing land supply under TAN 1 has highlighted a shortfall in deliverable land, including for some planning authorities with recently adopted LDPs. Rhondda Cynon Taf currently have a housing land supply of just 1.3 years. As at 1 April 2018 nineteen out of the twenty-five local planning authorities were unable to demonstrate a five-year housing land supply
- 3.5 Evidence suggests that the five-year housing land supply policy and its monitoring through the JHLAS process is providing further opportunities for developers to query the deliverability of allocated sites, which can cause a local planning authority's five-year housing land supply to be detrimentally affected. Combined with issues regarding whether some of the sites allocated in LDPs were the most appropriate, viable and deliverable sites, this opened up the possibility of gaining planning permission for additional sites not allocated in LDPs. This is contrary to the plan-led approach to managing development. As a result, we have seen a number of speculative planning applications for housing developments on sites in RCT which are not allocated in LDPs.
- 3.6 Paragraph 6.2 of TAN 1 was dis-applied in 2018. This removed the paragraph from the TAN which referred to attaching "considerable weight" to the lack of a five-year housing land supply as a material consideration in determining planning applications for residential development. We have nonetheless seen some applications that are not within LDP settlement boundaries come forward since then.
- 3.7 This WG consultation now aims to take matters further, in terms of seeking to ensure housing delivery through a plan-led system. The proposed method of doing this is threefold;
1. To remove the requirement in Planning Policy Wales for local planning authorities to provide a five-year supply of land for housing.
  2. To consequently revoke TAN 1 in its entirety.
  3. To replace the monitoring of housing land supply by the monitoring of housing delivery based on the LDP housing trajectory, to be reported through the AMR.

## **4.0 THE COUNCILS RESPONSE**

### **4.1 Planning Policy Wales – Policy on housing trajectories**

As a proposed new method of monitoring the delivery of LDP housing requirements, it seems to be a more appropriate method than the current JHLAS. It makes sense to have housing delivery fully aligned with the LDP process. The housing target is identified through the preparation of the LDP, whilst monitoring the delivery of housing through the AMR would be an expansion upon its already significant, statutory monitoring requirements. There will undoubtedly be a significant evidence base required to inform such a trajectory. Considerable detail will be needed not just for the assessment of

land for allocation, but also to evidence that development schemes can come forward on them (and when). There should, however, be some allowances for some future amendments and delays in bringing forward sites, and no unnecessary knee-jerk reactions to LDP review and revision.

- 4.2 **Development Plans Manual (Chapter 5) – Preparing a housing trajectory**  
Although the actual preparation of a trajectory with all its critical elements is a very comprehensive process, the guidance appears to be a sensibly concise summary of what is required. It is anticipated that any necessary positive amendments to the process when undertaking the preparation of the trajectory, will be incorporated as necessary.
- 4.3 **Development Plans Manual (Chapter 8) – Monitoring housing delivery**  
Again, it makes sense to have housing delivery fully aligned with the LDP process, as firstly, that is where the housing need is set out, whilst it would be an expansion upon its already significant, statutory monitoring requirements. Further, although the actual preparation of a trajectory with all critical elements considered is a very comprehensive process, the guidance appears to be a sensibly concise summary of what is required. It is anticipated that any necessary positive amendments when undertaking the preparation of individual monitoring frameworks, will be incorporated as necessary.
- 4.4 **Further comments**
- 4.5 We support the proposed removal of the current JHLA system and support the new LDP aligned monitoring process. This would also take away unwanted and often unwarranted pressures from the JHLAS process.
- 4.6 However, our current LDP is due to expire in 2021. Our recently prepared LDP Review Report indicates that we should prepare a revised plan, although we are awaiting full Council approval to begin its preparation.
- 4.7 We have multiple objectives within RCT to support and encourage the delivery of housing. This would include the continuation of support to the delivery of our remaining allocations, through seeking alternative funding mechanisms and/or greater developer interest in the sites. We could also explore alternative methods of delivery of housing e.g. development in Town Centres, continued extra care facilities, broader affordable housing solutions and perhaps greater use of exception sites for affordable housing in the countryside.
- 4.8 The return to use of longstanding empty properties is also a very plausible approach to creating what are essentially additional housing units in the County Borough, as can be evidenced through the successful and ever increasing Empty Property Grant scheme.
- 4.9 We have a large strategic housing site coming forward at Llanharan that should supply significant numbers of houses over coming years, whilst we are also seeing large numbers of windfall sites coming forward - in the Cynon Valley in particular.



4.10 However, we need to raise the following point of concern; although we in RCT have these objectives to continue housing delivery, if these are not sufficiently successful, then what do WG propose to allow appropriate planning decisions to be made to meet shortfalls in housing delivery prior to LDP adoption? In particular, what scope would the LPA have to determine otherwise suitable residential development outside current settlement boundaries?

4.11 The proposed completed response form to Welsh Government is attached as Appendix 1.

## **5.0 EQUALITY AND DIVERSITY IMPLICATIONS**

5.1 An Equality Impact Assessment (EqIA) screening form has been prepared for the purpose of this report. It concluded that a full report is not required at this time.

## **6.0 CONSULTATION**

6.1 Consultation has taken place with various sections of Prosperity and Development

## **7.0 FINANCIAL IMPLICATION(S)**

7.1 There are no direct financial implications associated with the proposed response to this consultation.

## **8.0 LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

8.1 There are no legal implications associated with the proposed response to the consultation.

## **9.0 LINKS TO THE COUNCILS CORPORATE PLAN/OTHER CORPORATE PRIORITIES/SIP**

9.1 There are no direct links to the above in relation to the proposed response to the consultation.

## **10.0 CONCLUSION**

10.1 It is recommended that approval is given to the proposed representation response to the Welsh Government consultation on 'Delivery of housing through the planning system - Revisions to Planning Policy Wales and associated advice and guidance', as set out in section 4 above.



**CONSULTATION RESPONSE FORM**

<b>Delivery of housing through the planning system – Revisions to Planning Policy Wales and associated advice and guidance</b>		
<b>Date:</b>		
<b>Name</b>	Owen Jones	
<b>Organisation</b>	Rhondda Cynon Taf County Borough Council	
<b>Preferred contact details</b>  (Email address, phone number or address)	Owen.l.jones@rctcbc.gov.uk	
<b>Type</b> (please select one from the following)	Business	
	Local Authority / Local Planning Authority	x
	Local Authority Councillor responding in a personal capacity	
	Government Agency / Other Public Sector	
	Professional Body / Interest Group	
	Voluntary sector (community groups, volunteers, self-help groups, co-operatives, enterprises, religious organisations, not-for-profit organisations)	
	Other groups not listed above	
	Responding in a private capacity	

Responses to the consultation are likely to be made public, either on the internet or in a report. If you would prefer your response to remain anonymous please tick here.

## CONSULTATION QUESTIONS

### 1. Planning Policy Wales – Policy on housing trajectories

It is proposed that the policy of maintaining a five-year housing land supply is replaced by the use of LDP housing trajectories to monitor housing delivery, with the consequential revocation of TAN 1 and amendments to the *Development Plans Manual*.

To what extent do you agree or disagree that LDP housing trajectories as part of the AMR process provide an effective means of monitoring the delivery of LDP housing requirements?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know	No opinion
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you disagree, please tell us why and tell us any changes you think should be made.

As a proposed new method of monitoring the delivery of LDP housing requirements, it seems to be a more appropriate method than the current JHLAS. It makes sense to have housing delivery fully aligned with the LDP process. The housing target is identified through the preparation of the LDP, whilst monitoring the delivery of housing through the AMR would be an expansion upon its already significant, statutory monitoring requirements. There will undoubtedly be a significant evidence base required to inform such a trajectory. Considerable detail will be needed not just for the assessment of land for allocation, but also to evidence that development schemes can come forward on them (and when). There should, however, be some allowances for some future amendments and delays in bringing forward sites, and no unnecessary knee-jerk reactions to LDP review and revision.

### 2. Development Plans Manual (Chapter 5) – Preparing a housing trajectory

To reflect the changes proposed to *Planning Policy Wales*, changes are required to Chapter 5 of the *Development Plans Manual* (Preparing an LDP – Core Issues).

To what extent do you agree or disagree that the guidance on how to prepare a housing trajectory is clear?

<b>Strongly agree</b>	<b>Agree</b>	<b>Neither agree nor disagree</b>	<b>Disagree</b>	<b>Strongly disagree</b>	<i>Don't know</i>	<i>No opinion</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you disagree, please tell us why and tell us which aspects you think should be changed and in what way.

Although the actual preparation of a trajectory with all its critical elements is a very comprehensive process, the guidance appears to be a sensibly concise summary of what is required. It is anticipated that any necessary positive amendments to the process when undertaking the preparation of the trajectory, will be incorporated as necessary.

### 3. Development Plans Manual (Chapter 8) – Monitoring housing delivery

Changes are also required to Chapter 8 of the *Development Plans Manual* (Monitoring, Review and Revision).

To what extent do you agree or disagree that the amended Chapter 8 and the new indicators for measuring housing delivery provide an effective means of implementing the revised policy in *Planning Policy Wales* and the monitoring of LDPs?

<b>Strongly agree</b>	<b>Agree</b>	<b>Neither agree nor disagree</b>	<b>Disagree</b>	<b>Strongly disagree</b>	<i>Don't know</i>	<i>No opinion</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you disagree, please tell us why and tell us which aspects you think should be changed and in what way.

Again, it makes sense to have housing delivery fully aligned with the LDP process, as firstly, that is where the housing need is set out, whilst it would be an expansion upon its already significant, statutory monitoring requirements. Further, although the actual preparation of a trajectory with all critical elements is a very comprehensive process, the guidance appears to be a sensibly concise summary of what is required. It is anticipated that any necessary positive amendments when undertaking the preparation of individual monitoring frameworks, will be incorporated as necessary.

### 4. Further comments

Are there any further comments that you would like to make on the proposed revisions to *Planning Policy Wales* and the related advice and guidance?

We support the proposed removal of the current JHLA system and support the new LDP aligned monitoring process. This would also take away unwanted and often unwarranted pressures from the JHLAS process.

However, our current LDP is due to expire in 2021. Our recently prepared LDP Review Report indicates that we should prepare a revised plan, although we are awaiting full Council approval to begin its preparation.

We have multiple objectives within RCT to support and encourage the delivery of housing. This would include the continuation of support to the delivery of our remaining allocations, through seeking alternative funding mechanisms and/or greater developer interest in the sites. We could also explore alternative methods of delivery of housing e.g. development in Town Centres, continued extra care facilities, broader affordable housing solutions and perhaps greater use of exception sites for affordable housing in the countryside.

The returning to use of longstanding empty properties is also a very plausible approach to creating what are essentially additional housing units in the County Borough, as can be evidenced through the successful and ever increasing Empty Property Grant scheme.

We have a large strategic housing site coming forward at Llanharan, that should supply significant numbers of houses over coming years, whilst we are also seeing large numbers of windfall sites coming forward - in the Cynon Valley in particular.

However, we need to raise the following point of concern; although we in RCT have these objectives to continue housing delivery, if these are not sufficiently successful, then what do WG propose to allow appropriate planning decisions to be made to meet shortfalls in housing delivery prior to LDP adoption? In particular, what scope would the LPA have to determine otherwise suitable residential development outside current settlement boundaries?