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**CARDIFF REPLACEMENT LOCAL DEVELOPMENT PLAN: VISION, ISSUES AND OBJECTIVES & INTEGRATED SUSTAINABILITY APPRAISAL SCOPING REPORT**

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### **Purpose of Report**

1. To provide Members with background information to assist scrutiny of the draft report to Cabinet titled *Cardiff Replacement Local Development Plan: Vision, Issues and Objectives and Integrated Sustainability Appraisal Scoping Report* prior to its consideration by Cabinet on 23 September 2021 and Council on 30 September 2021.

### **Structure of the Papers**

2. To facilitate Member's consideration, the following appendices are attached to this report:

#### **Appendix A:** draft Cabinet Report

#### **Attached to the Cabinet report are the following appendices:**

**Appendix 1:** Proposed LDP Vision and Objectives

**Appendix 2:** Integrated Sustainability Appraisal Scoping Report

**Appendix 3:** Summary of consultation and engagement findings.

*(Part 1: Findings from Questionnaire Surveys, Part 2: Summary of comments received)*

**Appendix 4:** Summary of Integrated Sustainability Appraisal of LDP Vision and Objectives

**Appendix 5:** Engagement Plan for Strategic Options and Sites Consultation

#### **Appendix B:** Presentation to Committee

### **Scope of Scrutiny**

3. On 23 September 2021 the Cabinet will consider the attached report presenting the findings of the consultation process, the draft vision and objectives for the Replacement Local Development Plan and draft Integrated Sustainability Appraisal Scoping Report which will be used to assess the plan.
4. The Local Development Plan (LDP) is a major Council policy. As such, it is essential that it is subject to robust scrutiny. Consequently, the five Scrutiny Chairs have agreed that each Scrutiny Committee will individually consider the September Cabinet Report as relevant to

their own terms of reference. Following the scrutinies, a collective letter will capture the concerns and observations of all five committees in a letter to the Cabinet. Going forward, Chairs consider it will be good practice to pool scrutiny expertise from all committees and continue a culture of collaboration, whilst recognising that issues will emerge from the September committees that determine the best way forward. They have therefore programmed further discussion of the best approach for maximising the impact of scrutiny based on the outcome of these five initial scrutinies.

5. During scrutiny of this report, Members are reminded to stay within the remit of the Committee's terms of reference and will have the opportunity to explore:
  - i) The proposed vision and objectives;
  - ii) The consultation process undertaken – including methods used, level of responses and how representational they are;
  - iii) Whether there are any risks to the Council;
  - iv) The timeline and next steps for delivering the Replacement Local Development Plan;
  - v) The recommendations to Cabinet.
  - vi) The extent to which Climate Change and the One Planet Cardiff agendas have been taken into consideration and addressed in the Replacement LDP - on aspects such as Carbon Neutral, Active Travel, Clean Air/Zero Emissions, Renewable Energy and Green and Blue Infrastructure.
  - vii) The proposed approach for new infrastructure to address Community need such as waste management, public transport, bereavement and placemaking.

*Members will note that this list is not intended to be exhaustive, however are reminded to consider the papers within the Committee's terms of reference.*

## **Background**

6. The Cardiff Local Development Plan (LDP) was adopted by the Council on 28th January 2016 and sets out the Council's planning framework for the development and use of land in the city over the period 2006 to 2026. An up-to-date LDP is an essential part of the planning system in Wales and statutory measures are in place to manage the Plan review process. In this respect, the Council is required under Section 69 of the Planning and Compulsory Purchase Act 2004 to undertake a full review of the adopted LDP at intervals not longer than every 4 years from the date of adoption.

7. The first stage in a review process is the publication of a draft Review Report and draft Delivery Agreement which puts forward the procedure for preparing a Replacement LDP.
8. The Delivery Agreement outlines the key areas of work that the Council needs to account for in preparation for the replacement LDP, the tools that will be used, key legislative and non-statutory considerations along with evidence-based assessment that will be undertaken or considered. The Delivery Agreement also contains the Replacement LDP's Community Involvement Scheme which specifies how and when the Council will provide opportunities for consultees and the local community to be involved in the process.
9. The Council's Final Review Report concluded that the full revision procedure would be the most appropriate option and that a replacement LDP be prepared for the period 2021-2036. At their meetings on the 18th March 2021, Cabinet and Council agreed and approved the Final Review Report and Final Delivery Agreement and authorised their submission to Welsh Government, who subsequently approved both documents on the 30th March 2021.

### Timetable to deliver a Replacement Local Development Plan

10. Delivering a successful replacement LDP will span three and a half years, from Welsh Government and Council approval of the Delivery Agreement in March 2021, to Adoption by the Council in October 2024. The following diagram illustrates the stages.



## Cardiff Replacement Local Development Plan – Statutory Requirements

11. The aims of the Replacement LDP are to:

- Deliver sustainable development;
- Reflect local aspirations for the city, based on a vision agreed by the local community and other stakeholders;
- Provide a basis for rational and consistent development management decisions;
- Guide growth and change, which positively impacts health and wellbeing while protecting local diversity, character and sensitive environments; and
- Show how and where change will occur over the Replacement Plan period.

12. In preparing the Replacement LDP, the Council must also take account of:

- A wide range of legislation, policies and other initiatives, at European, national and local levels of government and;
- Relevant social, economic and environmental considerations.

13. In addition, the Planning and Compulsory Purchase Act 2004 Act (as amended by 2015 Act) requires the Council, in preparing the Replacement LDP, to have regard to:

- Current national policies:
- Strategic Development Plan for the area
- The National Development Framework for Wales; and
- The resources likely to be available for implementing the Replacement Plan.

## Cardiff Replacement Local Development Plan – Vision & Objectives

14. The Replacement LDP will need to respond to key issues in Cardiff and be guided by an over-arching vision and supporting objectives. The agreed vision and objectives will set the context for the plan and ensure a balance between economic, social and environmental objectives to help deliver sustainable development over the plan period. Further information on the proposed vision and objectives for consideration is detailed in **points 4-9 of Appendix A and Appendix 1.**

15. The response to the consultation along with the vision and objectives set out in **Appendix 1** will form part of the Preferred Strategy which will be considered by the Council in the autumn of 2022. The Preferred Strategy will also contain strategic options considered and the preferred spatial strategy together with relevant supporting information.

## Integrated Sustainability Appraisal Report

16. **Appendix 2** to **Appendix A** is the Integrated Sustainability Appraisal (ISA) Scoping Report which will be used to assess the Replacement Plan. Its purpose is to identify the likely significant economic, social, environmental and cultural effects of the emerging RLDP, and to suggest measures to minimise any negative effects and maximise the positive ones.
17. The ISA covers sustainability appraisal / strategic environmental assessment, equalities assessment, welsh language, and health impact assessment.
18. There are five stages/tasks to producing the ISA and its development will take place alongside the development of the Replacement LDP. The report at **Appendix 2** is Stage A and has supported the Delivery Agreement and evidence gathering and stakeholder involvement on key issues.
19. A diagram explaining the integration of the Sustainability Appraisal at each stage of the LDP plan-making journey can be found on page 5 of **Appendix 2**, figure 1.2.

## Consultation on the Replacement LDP vision, issues, objectives and draft Integrated Sustainability Appraisal

20. An online, public consultation took place from 28th May to the 23rd July 2021 and sought feedback on the following;
  - Draft vision and objectives for Replacement LDP
  - Call for Candidate Sites  
*Members are to note the call for Candidate Site was a separate consultation which ended on 20 Aug 2021.*
  - Draft Scoping report of Integrated Sustainability Appraisal (ISA).
21. The consultation lasted 8 weeks and generated a total 1,215 responses from the public along with comments submitted by 83 local organisations. Further information on the consultation is contained in:
  - **points 7 & 8 of Appendix A;**
  - **Appendix 3; Part 1** sets a summary of the public questionnaire;
  - **Appendix 3 Part 2** provides a summary of comments received

## Way Forward

22. At this meeting, the following witnesses will be in attendance:

- (i) Councillor Caro Wild, Cabinet Member, Strategic Planning & Transport
- (ii) Councillor Michael Michael, Cabinet Member, Clean Street, Recycling & Environment
- (iii) Officers from the Planning, Transport & Environment Directorate
- (iv) Officers from the Economic Development Directorate

23. Pre-decision scrutiny aims to inform the Cabinet's decisions by making evidence based recommendations. Scrutiny Members are advised to:

- i) Consider the information presented in the draft Cabinet Report and subsequent Appendices in line with the Committee's terms of reference and guidance detailed in point 5 of this report;
- ii) Check the financial implications section of the Cabinet report to be aware of the advice given;
- iii) Check the legal implications section of the Cabinet report to be aware of the advice given;
- iv) Check the recommendations to Cabinet to see if these are appropriate.

## Legal Implications

24. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

## **Financial Implications**

25. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

## **RECOMMENDATIONS**

It is recommended that the Committee:

- i. Considers the draft report and subsequent appendices in line with its terms of reference and decide whether it wishes to relay any comments or observations to the Cabinet prior to its meeting on the 23 September 2021.
- ii. Note the possibility of collaborative joint scrutiny of the next stages of the Replacement LDP via a Task and Finish group of all 5 committees.

**DAVINA FIORE**

**Director of Governance and Legal Services**

**9 September 2021**