

CABINET MEETING: 22 JUNE 2023

**CARDIFF REPLACEMENT LOCAL DEVELOPMENT PLAN 2021
TO 2036: PREFERRED STRATEGY FOR CONSULTATION**

**CABINET PORTFOLIO: TRANSPORT & STRATEGIC PLANNING
(COUNCILLOR DAN DE'ATH)**

AGENDA ITEM: 9

Reason for this Report

1. To enable the Cabinet to consider:
 - A Preferred Strategy for the Cardiff Replacement Local Development Plan (RLDP), as tabled in Appendix 1 of this report, and recommend its approval by the Council; and
 - A revised timetable for preparation of the RLDP, as set out in paragraph 26 of this report and recommend its approval by the Council prior to submission to Welsh Government for their agreement.

Background

2. 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. The adopted LDP has delivered a planning framework that has both enabled the regeneration of existing communities within the city and provided a strategic framework for the development of several new communities around the edge of the city. These new communities have been delivered through comprehensive master plans that provide for the necessary infrastructure including schools, transport links and open space. Collectively this has enabled the delivery of approximately 6,000 new homes across the city since the adoption of the plan in 2016, including the delivery of approximately 1,500 affordable homes to meet the urgent need for such accommodation.
3. An up-to-date LDP is an essential part of the plan-led 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.

4. The Replacement LDP is a critical document for the Council as it is probably the last strategic land use plan the Council will prepare before the new regional system of Strategic Development Plans (SDPs) prepared by the regional Corporate Joint Committees (CJCs) comes into place. Importantly it will build on the achievements of the adopted LDP and establish the development context for the city for the next 13 years to 2036 and will set a growth target for city and allocate green and brownfield land to meet this target. It will also underpin the Council's corporate strategies, including the One Planet Strategy, Transport White Paper and the education vision set out in Cardiff 2030.
5. The Replacement LDP is being prepared in accordance with the process and timetable set out in the Delivery Agreement agreed by Welsh Government in March 2021. To date, the following milestones have been achieved, and have contributed to the Preferred Strategy:
 - Consultation/ Approval of RLDP Vision and Objectives (September 2021)
 - The Call for Candidate Sites (Summer 2021)
 - Consultation on the Integrated Sustainability Appraisal Scoping Report (Summer 2021)
 - Consultation on Strategic Options for the Level of Growth and Spatial Options (winter 2021/22)
 - Preparing a robust evidence base to inform the plan; and
 - Undertaking numerous technical assessments on the proposed Plan content
6. Approval of the Preferred Strategy will be followed by a formal consultation and engagement exercise between July and September 2023. This will include on-line consultation and surveys, face to face meetings and use of social media to publicise the details of the consultation. The intention of this exercise is to reach as many groups and individuals as possible, and to seek to actively and specifically engage with those groups and communities who traditionally are under-represented in LDP preparation. The results of this consultation will help inform the preparation of the Deposit Plan or "Full Plan", which is anticipated to be considered by Cabinet and Council in June 2024.
7. The Deposit Plan will contain far more detail than the Preferred Strategy in relation to both policies and proposed sites. The Deposit Plan will also be subject to a formal consultation process, which is anticipated to be undertaken over the summer of 2024.

Preferred Strategy contents

8. The Preferred Strategy sets out a Strategic Plan for the city to 2036 setting out:
 - The Vision and Objectives of the plan.
 - The planned level of growth in housing and jobs.
 - The spatial strategy to deliver this growth.
 - The areas within the city to be protected, and
 - A comprehensive series of “Key Policies” to deliver the Vision and Objectives of the plan. These policies will be further informed by the consultation responses to the Preferred Strategy and included in the Deposit Plan.
9. It is important that the Preferred Strategy meets evidenced social, economic and cultural needs whilst respecting environmental factors and delivers sustainable neighbourhoods as part of a sustainable city.
10. In addition, since the preparation and adoption of the current LDP in 2016, there have been some significant legislative, policy and contextual changes for the Preferred Strategy. These include, but are not limited to:
 - Stronger, Fairer, Greener
 - The Well-being of Future Generations (Wales) Act 2015
 - Future Wales: The National Plan 2040
 - Climate Emergency Declaration
 - One Planet Cardiff
 - Nature Emergency Declaration
 - Biodiversity and Resilience of Ecosystems Duty
 - Socio-Economic Duty
 - Cardiff Economic Strategy
 - Transport White Paper and Clean Air Plan
 - Child Friendly Cardiff
 - Cardiff Older Persons Housing Strategy
 - City Recovery Strategy
11. These have been taken into account in preparing the Preferred Strategy and the key elements are summarised below.
12. **Meeting Future Needs:** Meeting the future need for jobs and homes by setting out a strategy to deliver 32,300 new jobs and 26,400 new dwellings over the Plan period to 2036 (equivalent to a 1% level of growth per annum). In determining this level of growth three different growth options were considered including a low growth option (20,900

new dwellings or 0.6% level of growth per annum) and a high growth option (33,500 new dwellings or 1.6% growth per annum). Following a thorough assessment of these three options and taking into account the comments received during the consultation on the options it is considered that the proposed growth level represents the most realistic and reliable option. Planning for such a level of housing completions will help the city deliver its corporate priorities, recover from the pandemic, provide much needed affordable housing and be a fundamental component of future economic growth. It will also help achieve Welsh Government's aspirations for the city (set out in Future Wales) as a national growth area and an economic driver for the city region.

13. **New Homes:** The Preferred Strategy proposes that all the existing "landbank" of homes (i.e. sites with planning permissions) and adopted LDP housing allocations will be developed by 2036. This means that there is no need to identify land for any additional dwellings. This would demonstrate a 50:50 brownfield/greenfield split and ensure a good range and choice of new housing opportunities with different dwelling sizes, tenures and locations. The Preferred Strategy will also enable the potential provision for 5,000 to 6,000 affordable homes.
14. **New Jobs:** The Preferred Strategy supports and complements the Council's Economic Strategy. It proposes a range and choice of new job opportunities through protecting existing employment sites which perform an important economic role in the city and taking forward the existing LDP employment allocations alongside mixed-use urban regeneration areas on a range of sites and locations across the city. These include the Cardiff Central Enterprise Zone, Roath Basin, North of Junction 33, North-West Cardiff, Cardiff Parkway and other sites.
15. **Sustainable Neighbourhoods:** The Preferred Strategy aims to ensure that new homes and jobs form part of well-planned, mixed-use communities which help deliver new and improved facilities and infrastructure which support the regeneration of the city. The strategy sets out key principles for new development responding to key sustainability factors and providing a well-designed, safe, inclusive, accessible and healthy environment for all. The need to sustainably manage waste, reduce emissions and maximising renewable solutions are also highlighted. The strategy also sets out ways to tackle deprivation and improve the quality of life for residents such as through supporting existing centres, delivering affordable homes, creating healthier environments and enhancing community facilities.
16. **Sustainable Transport and Active Travel:** The Preferred Strategy aligns with the Transport White Paper and Clean Air Plan and sets out an approach aimed at minimising car travel, maximising access by sustainable transport and active travel modes and improving connectivity between Cardiff and the wider region. This can be achieved by making the best use of the current network, reducing travel demand where possible and widening travel choices. The aim is to achieve a target of 76% of all journeys made by walking, cycling and public transport by 2030. This will be achieved through several ways including:
 - Reducing travel demand and dependence on the car through location

and design.

- Enabling and maximising sustainable and active travel modes.
 - Providing high-quality walking and cycling infrastructure.
 - Integrating travel modes and maintaining and improving the efficiency and reliability of the transport network.
 - Supporting and facilitating new transport infrastructure projects including the North-West Corridor, North and South Corridors, South-West Corridor and Northern Corridor.
 - Improving safety and accessibility for all.
17. **Climate Change, De-carbonisation and Renewable Energy:** The Preferred Strategy aligns with One Planet Cardiff and aims to tackle climate change through securing low carbon development and energy efficient design, protecting and increasing carbon sinks, increasing the supply of renewable energy and preventing development that increases flood risk.
 18. **Protecting Biodiversity and Resilience of Ecosystems:** The Preferred Strategy aims to ensure all development maintains and achieves a net gain in biodiversity and promotes the resilience of ecosystems.
 19. **Protecting Cardiff's Environment:** The Preferred Strategy has been developed to minimise impact upon Cardiff's environmental assets. The strategically important ridge to the north of the M4 will be protected and continue to form a highly important green backdrop to the city along with other areas of countryside around the city. Importantly, open spaces and river valleys within the urban area are protected. In total, well in excess of 5,500 hectares of countryside and strategic river valleys running through the urban area will be protected from development. Cardiff's rich and diverse heritage assets have also been fully taken into account in preparing the strategy which seeks to protect, manage and enhance these interests to maintain and enhance Cardiff's unique distinctiveness.
 20. The RLDP must be subject to an Integrated Sustainability Appraisal (ISA) incorporating Strategic Environmental Assessment (SEA) as required by the Planning and Compulsory Purchase Act 2004, and the SEA Regulations. These are tools to ensure that policies in the LDP are appropriately assessed to reflect the sustainable development principle and take into account the significant effects of the plan on the natural environment. The Council has adopted an integrated approach to the appraisal and assessment in which economic and social issues are considered alongside environmental elements. The Initial Integrated Sustainability Appraisal Report is available as a background document to this Report.
 21. The Council is also required to undertake a Habitats Regulations Assessment (HRA) of the LDP under Part IVa of the Conservation (Natural Habitats, &c.) (Amendment) (England and Wales) Regulations 2007. The HRA will determine the likely significant effects of the plan on European Sites of nature conservation importance and, if applicable,

scope what needs “appropriate assessment” (AA) and how it will be undertaken. A Scoping Report for Habitats Regulations Assessment of the LDP is available as a background document to this Report.

22. In addition to these assessments, a Joint Scrutiny Committee Task & Finish Group reporting to the Environmental Scrutiny Committee considered the strategic and delivery options and set out evidence and key findings which have been used to inform the Preferred Strategy. Furthermore, a Health Impact Assessment, Equalities Impact Assessment and Welsh Language Impact Assessment have also been undertaken to assess potential impacts and feed into the Integrated Sustainability Appraisal. Reports from these assessments are available as background documents to this Report.

Resources

23. An RLDP budget is in place for the present financial year and is considered able to meet the current financial implications of undertaking consultation on the Preferred Strategy and preparing the Deposit Plan against the proposed timetable. Further monitoring will be undertaken to assess expenditure against budget as the RLDP progresses and the RLDP budget for future financial years will need to reflect resources required to enable progression in accordance with the Delivery Agreement.

Revisions to preparation Timetable

24. The Council is required to keep the timetable for preparing the RLDP under review and agree any slippage beyond 3 months in the timetable for preparing the plan with Welsh Government.
25. The Preferred Strategy is the first formal stage in Plan preparation and is a key stage in the development of the Plan. Welsh Government guidance relating to the preparation of LDPs requires them to be founded on a robust and up to date evidence base. Given this, it is important that the Preferred Strategy is informed by the latest evidence. This requirement is also a “test of soundness” which will be considered by an appointed Inspector during the independent examination of the plan.
26. Given this, it is important that the development of the Preferred Strategy is informed by latest evidence relating to housing need and revised population figures following the release of the 2021 Census findings, and an updated Local Housing Market Assessment completed in accordance with the revised Welsh Government methodology issued last year.
27. To allow sufficient time to fully consider these matters, the timetable for consultation on the Preferred Strategy is beyond the three-month allowance, where a revised timetable for preparation of the RLDP has been prepared in consultation with Welsh Government. This is set out below and it is recommended to formally submit the revised Delivery Agreement to Welsh Government for their consideration and agreement.

Once this timetable is agreed, the Delivery Agreement can be amended to include revised dates for preparation.

Revised Timetable for Preparation of Cardiff Replacement LDP

| Key Stage | | | |
|--------------------|---|----------------------------------|----------------------------------|
| Anticipated | | From | To |
| 1 | Draft Review Report and Delivery Agreement Consultation and submission of Final Review Report to Welsh Government | Jan 2021 | Mar 2021 |
| 2 | Evidence Base Preparation Call for Candidate Sites Consultation on ISA Scoping Report | Dec 2020 May 2021 May 2021 | Mar 2024 Aug 2021 Jul 2021 |
| 3 | Pre-Deposit Participation Consultation on draft vision/issues/objectives Consultation on strategic options | Mar 2021 May 2021 Nov 2021 | Jun 2023 Jul 2021 Feb 2022 |
| 4 | Consultation on Preferred Strategy and ISA Initial Report | Jul 2023 | Sep 2023 |
| 5 | Consultation on Deposit Plan and Final ISA Report | Jul 2024 | Sep 2024 |
| Indicative | | From | To |
| 6 | Submission for Examination | May 2025 | |
| 7 | Examination | May 2025 | Oct 2025 |
| 8 | Inspectors Report | Oct 2025 | |
| 9 | Adoption of LDP | Nov 2025 | |

28. These revised timescales have also enabled the Council to consider fully how the plan can effectively deliver the corporate priorities set out in the “Stronger, Fairer, Greener” vision and respond to the impact of COVID, cost of living and housing crisis and the Council’s declared climate and nature emergencies. It has also allowed sufficient time for the various

assessments of the Preferred Strategy required by Welsh Government guidance outlined above to be completed and fully considered.

29. Importantly, the revised timetable set out above will ensure the preparation of a robust plan, aligned to the Council's Corporate priorities and based on the latest evidence.

Reason for Recommendations

30. To enable Cabinet to consider a Preferred Strategy for consultation purposes, a revised timetable for preparation of the RLDP, and recommend their approval by Council.

Legal Implications

31. A Local Planning Authority (LPA) has a statutory duty to produce a Local Development Plan (LDP). The LPA's statutory duties under the LDP system are contained within Part 6 of the Planning and Compulsory Purchase Act 2004 ("the Act").
32. 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.
33. The Replacement Local Development Plan (RLDP) has to be prepared in accordance with the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (as amended). The process and the documents required under those Regulations are discussed within the body of the Report. Proper account of those Regulations must be taken at each stage so as to avoid the risk of a challenge to the Council's process.
34. The Council is also required to keep the timetable for preparing the RLDP under review and the revised timetable set out in paragraph 26 will need to be considered and approved by the Council prior to submission to Welsh Government for their agreement to the amendments and to comply with Regulation 9 of the Town and Country Planning Act (Local Development Plans) (Wales) Regulations 2005.
34. The decision about the report's recommendations has to be made in the context of the Council's public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties) – the Public Sector Equality Duties (PSED). These duties require the Council to have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of 'protected characteristics'. The 'Protected characteristics' are: • Age • Gender reassignment • Sex • Race – including ethnic or national origin, colour or nationality • Disability • Pregnancy and maternity • Marriage and civil partnership • Sexual orientation • Religion or belief – including lack of belief.
35. When taking strategic decisions, the Council also has a statutory duty to have due regard to the need to reduce inequalities of outcome resulting

from socio-economic disadvantage ('the Socio-Economic Duty' imposed under section 1 of the Equality Act 2010). In considering this, the Council must take into account the statutory guidance issued by the Welsh Ministers (WG42004 A More Equal Wales The Socio-economic Duty Equality Act 2010 (gov.wales) and must be able to demonstrate how it has discharged its duty.

36. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.
37. In discharging its duties under the Act, the Council has set and published well-being objectives designed to maximise its contribution to achieving the national well-being goals. The well-being objectives are set out in Cardiff's Corporate Plan 2023-26 ([Here](#)). When exercising its functions, the Council is required to take all reasonable steps to meet its well-being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well-being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.
38. The Council has to consider the Well Being of Future Generations (Wales) Act 2015 and how this strategy may improve the social, economic, environmental and cultural well-being of Wales. The well-being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
 - Look to the long term
 - Focus on prevention by understanding the root causes of problems
 - Deliver an integrated approach to achieving the 7 national well-being goals
 - Work in collaboration with others to find shared sustainable solutions
 - Involve people from all sections of the community in the decisions which affect them.
 - The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link: <http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>
39. The Council has to be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards when making any policy decisions and consider the impact upon the Welsh Language.

Financial Implications

40. The report seeks Cabinet approval for the Replacement Local Development Plan (RLDP) Preferred Strategy and proposed timetable prior to forwarding to Council for consideration and approval and before formal submission to Welsh Government.
41. The report sets out the overall objectives, strategies and key issues for the RLDP. It is essential that the RLDP continues to align with the Council's strategies and priorities, financial objectives, available resources and service requirements.
42. There are no direct financial implications arising from this report with existing budgets deemed sufficient to meet the current financial implications of undertaking consultation on the Preferred Strategy and preparing the Deposit Plan against the proposed timetable. The full costs of preparation of the RLDP are likely to be significant and funding for proceeding years will need to be considered as part of future budget settlements.

Human Resources Implications

43. There are no HR implications arising directly from this report.

Property Implications

44. There are no property implications arising directly from this report.

RECOMMENDATION

Cabinet is recommended to recommend that:

1. Council approves the Replacement Local Development Plan Preferred Strategy (as set out in Appendix 1) for consultation purposes.
2. Council approves the revised timetable for preparation of the Replacement Local Development Plan as set out in this report so it can be formally submitted to Welsh Government for their consideration and agreement.

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| SENIOR RESPONSIBLE OFFICER | Andrew Gregory Director Planning, Transport & Environment |
| | 16 June 2023 |

The following Appendices are attached:

Appendix 1: Cardiff Local Development Plan 2021-2036: Preferred Strategy for Consultation.

The following Background Papers have been taken into account:

1. *Appendices to Cardiff Local Development Plan 2021-2036: Preferred Strategy for Consultation*
2. *Background Technical Paper Number 1 - Cardiff Local Development Plan 2021-2036: Preferred Strategy – Initial Sustainability Appraisal Report*
3. *Background Technical Paper Number 2 - Cardiff Local Development Plan 2021-2036: Preferred Strategy – Habitats Regulations Assessment*
4. *Background Technical Paper Number 3 - Cardiff Local Development Plan 2021-2036: Preferred Strategy – Health Impact Assessment Report*
5. *Background Technical Paper Number 4 - Cardiff Local Development Plan 2021-2036: Preferred Strategy – Equalities Impact Assessment Report and Welsh Language Impact Assessment*
6. *Background Technical Paper Number 5 - Cardiff Local Development Plan 2021-2036: Preferred Strategy – Scrutiny Joint Task and Finish Group – Replacement Local Development Plan – Strategic and Delivery Options Findings*
7. *Background Technical Paper Number 6 - Cardiff Local Development Plan 2021-2036: Preferred Strategy – Summary of Consultations undertaken to date*
8. *Background Technical Paper Number 7 - Cardiff Local Development Plan 2021-2036: Preferred Strategy – Stage 1 Candidate Site Assessment*
9. *Background Technical Paper Number 8 – Cardiff Local Development Plan 2021 to 2036 Preferred Strategy – Urban Capacity Technical Paper*
10. *Background Technical Paper Number 9 – Cardiff Local Development Plan 2021 to 2036 Preferred Strategy – Self Assessment of the Preferred Strategy against the Tests of Soundness*
11. *Background Technical Paper Number 10 – Cardiff Local Development Plan 2021 to 2036 Preferred Strategy – Transport*