

## Hearing Session 18: Miscellaneous Policy Matters

### Representor ID - 31 - HBF Wales

#### Development Management Policies

#### **3. Does Policy MD1: 'Location of New Development' represent an appropriate policy relating to the development of unallocated sites?**

*The HBF would raise the following concerns with regard to two of the criteria within the policy:*

*7. PROMOTES SUSTAINABLE CONSTRUCTION AND MAKES BENEFICIAL USE OF PREVIOUSLY DEVELOPED LAND AND BUILDINGS;*

*The HBF consider that this does not align with the strategy of the plan as it effectively means that brownfield sites will be favoured over greenfield sites. Although it is accepted that this accords with national policy, this is not in accord with the plans strategy in terms of the sites which have been allocated.*

*The HBF request the addition of the word 'OR' so instead it would read "PROMOTES SUSTAINABLE CONSTRUCTION AND/OR MAKES BENEFICIAL USE...".*

*9. DOES NOT HAVE AN UNACCEPTABLE IMPACT ON GREEN WEDGES, SITES OF IMPORTANCE FOR NATURE CONSERVATION, SPECIAL LANDSCAPE AREAS AND / OR THE GLAMORGAN HERITAGE COAST.*

*The HBF suggest that there is no need for this criterion as all of the constraints listed are either covered by their own policy in the LDP or covered by separate legislation. This is unnecessary repetition and should be removed.*

#### **4. Do Policies MD2: 'Place Making' and MD3: 'Design of Developments' represent a suitable and appropriate policy framework relating to the design of new developments?**

a. Are both policies necessary given considerable degree of overlap? Should they be merged?

*Based on the level of repetition within the two policies the HBF support the suggestion to merge the two policies as this will make the plan easier to understand and lead to less confusion over which policy needs considering.*

b. Should the requirement for energy assessments, as set out in paragraph 7.7 of the reasoned justification to Policy MD2, be included within the Policy wording?

*The HBF do not consider this appropriate as the standard for the energy efficiency of new homes is already set by Welsh Government, through national Building Regulation requirements. These do not require the use of renewable energy features to achieve the carbon reductions set out. The HBF would also note that TAN22 referenced by footnote 26 was cancelled on 31 July 2014 so such an approach is not supported by national guidance.*

*In terms of Policy MD3 criteria 5 THE DEVELOPMENT WOULD BE COMPATIBLE WITH OTHER USES IN THE LOCALITY the HBF consider that this is very*

*subjective and difficult to measure accordingly it is not appropriate wording for a policy and should be removed.*

**5. Is Policy MD7: 'Housing Densities' appropriate? Is it sufficiently flexible to allow site by site negotiation where evidence suggests it would be justified?**

*Although the policy does allow a level of flexibility this is certainly not 'encouraged' by the wording. A fundamental feature of Planning is that each application should be considered on its own merits and this would seem to go against this. The HBF are particularly concerned about the use of the word 'significant' in point 2 and would request the original wording 'previously unknown' is reinstated.*

**Community Facilities**

**9. Is Policy MG7: 'Provision of Community Facilities' based on a robust and credible evidence base? How will such facilities be delivered? Have such requirements been factored in to the overall viability of the proposed allocations?**

*The policy would seem to suggest that as well as the four specific requirements associated with new development there is additional requirement for new community facilities in 10 other towns/villages. This would firstly seem to prejudge any S106 negotiations by deciding what is required without any detailed or local assessment at the time of the application. The policy also favours co-location of a number of services something which is often outside of the control of most developers. Nothing is said about who will be responsible for the running of or maintenance of such new facilities, a common issue with existing facilities let alone new ones.*

*The 2013 study seems to take no account of new schools, these often now provide 'shared/community facilities', a number of new schools have or are being built, and therefore will impact on the existing community facility provision in an area. Further the study simply applies a mathematical formula (which it admits is not based on a nationally accepted formula) to work out floor area based on number of dwellings/ increased population level. In looking at general community, library and built sports facilities it also seems to take no account of the potential for shared facilities/floor space within a building and the subsequent reduction in floor space required. The need for a S106 contribution to community buildings is already identified in policy MD4 and on the basis that there is not considered to be clear and up-to-date evidence to support this policy, the HBF suggest it is deleted. It is noted that such information once updated could be included in a Developers Contributions SPG.*

**11. Should 'Burial Land' be included as a 'community facility' as proposed by FC51?**

*The HBF do not consider this appropriate and it extremely unlikely that a developer would be able to contribute to this as part of a development, other than in the form of a commuted sum.*

## Open Space

### 13. Policy MG25: 'Public Open Space Allocations':

a. Are the Public Open Space Allocations proposed through Policy MG25 appropriate and deliverable?

*A number of the allocations would appear to be both site and area specific and effectively pre judge the determination of detailed planning applications, at which time an up to date and locally based assessment should be carried out to justify the need for its provision. Para. 6.149 of the supporting text needs to be more flexible. The need for open space on a site should be assessed on a site by site basis and the starting position should not be that developments are 'expected to provide it', the word 'feasible' should be replaced by 'viable and required'. The principle of the provision of open space through a S106 is already identified in policy MD4 and on the basis that there is not considered to be clear and up-to-date evidence to support this policy the HBF suggest it is deleted. It is noted that such information once updated could be included in a Developers Contributions SPG.*

b. Are the proposed allocations based on a robust and credible evidence base?

c. Have the implications on the viability of proposed housing schemes been fully considered?

*The HBF consider that they can't have been as at the time of the plan deciding on the areas required as there were not detailed applications on all the sites. Further the viability of such a provision has to be looked at along with all the other S106 requirements, a number of which have changed since this policy was drawn up an example of this is the higher affordable housing requirement on some sites and large increases in education contributions.*

d. Are the requirements of paragraph 6.149 appropriate and, if so, should they be elevated to Policy wording (or included within criterion 10 of MD3)?

*The HBF are concerned at the use of the word 'expected' and 'assumed' and would not consider these appropriate for use in policy wording. Further the HBF would question whether or not it has been possible to assess the suitability of these proposed areas of land from children's play areas without knowing their location, ground levels, location in relationship to adjacent uses etc.*

14. Criterion 10 of Policy MD3: 'Design of New Developments' requires public open space to be provided in accordance with Council standards. Should these standards be clearly identified within the Plan?

*The HBF suggest that reference is made to the existing Fields in Trust (FiT) standards which are a national standard generally used in the calculation of open space requirements.*

## Education Facilities

16. Is the Plan's approach to Education appropriate and deliverable and is it supported by a robust and credible evidence base (Policy MG6: 'Provision of Educational Facilities'/ Background Paper SD62: Education Facilities)?

*The policy/ supporting text should allow for the flexibility of the land allocated for a new school to be used for other uses if the need for a new school or sufficient funding is not proven/available to deliver the school in a timescale linked to the delivery of the new development.*

## Renewable Energy

21. Does the Plan set out a sufficiently proactive approach to renewable and low carbon energy generation, as set out in the WG letter to Chief Planning Officers dated 10 December 2015?

a. Should the Plan identify a clear target for renewable energy generation?

*The HBF are concerned that such a target could involve the requirement for new housing developments to generate renewable energy, accordingly we would not support this approach and consider this should be left to national legislation. We do not believe there is currently a clear national policy on this topic on which to base such a target.*