

Planning Division 3 (Development Plans)
Welsh Assembly Government
Cathays Park
Cardiff
CF10 3NQ

2005/44

9th November 2005

Dear Sir/Madam

Consultation on the Draft Local Development Plan Manual

Thank you for the opportunity to respond to the above draft Local Development Plan (LDP) Manual intended as a technical reference and guidance on LDP preparation for practitioners and others engaged in the LDP process. It can be found on the website at www.wales.gov.uk/subiplanning/toc-e.htm#Aq . The consultation has been considered by the RTPI's Welsh Planning Policy Panel, and as such I can offer the following comments:-

GENERAL COMMENTS

1. The draft LDP Manual is welcomed as an important authoritative technical guide, which incorporates practical advice and guidance on LDP preparation for practitioners and others engaged in the LDP process. The Welsh Assembly is commended for commissioning and producing this guide. Equally important is the public guide to the LDP process – which was issued by the Welsh Assembly as a draft for consultation in August. The Institute also welcomed this summary guide which was based on the content of the Manual. We provided comments on the draft version.
2. The Institute supports the Welsh Assembly's methodology in setting up the LDP Stakeholder Group as a sounding board during the formulation of the detail of the new system. It includes representatives from many organisations – including the RTPI.
3. It is understood that it is the Welsh Assembly's intention to keep the Manual content under review as the LDP system rolls out and to identify best practice examples as they emerge. We offer our support in helping to identify best practice in Wales and elsewhere in the UK. To this end, RTPI and Planning Aid Wales are organising a free seminar on Community Involvement in the new LDP system to be held at City Hall, Cardiff on 16 November.

GENERAL QUESTIONS

Will the LDP Manual assist in the effective preparation and timely adoption of LDPs?

4. The draft Manual is welcomed and it is considered that the guidance will assist local planning authorities to prepare LDPs. However, training on aspects of the new LDP system (e.g. community involvement, SA/SEA, impact of Habitat Directive etc.) will continue to be important for local planning authorities, Elected Members and other stakeholders (e.g. voluntary sector, private sector). Such training needs should be continually evaluated. Initiatives such as the Pathfinder Group of authorities and the LDP Stakeholder Group will also play a key role as the new system commences.

Will the Manual assist in bringing about the improvements in the planning system identified in Planning: Delivering for Wales (transparency, inspiring confidence, quality outcomes, speed and integration)?

5. Any guidance which assists local planning authorities and stakeholders in the preparation of LDPs will help to bring about improvements identified in the Welsh Assembly's 'Planning: Delivering for Wales' programme. The public guide to the new LDP process will also help to improve transparency and inspire confidence in the new system. However, the Manual cannot achieve this alone. Ongoing training, maintaining relationships via the Pathfinder groups and other initiatives will also play a role.

Do you have any comments on the style and themes of the Manual? Is the tone, format and general level of detail appropriate?

6. The Manual is comprehensive but very detailed which reflects the complexities and fundamental differences of the new system. Whilst most welcome the format of the Manual which runs through the process in a methodical order, some members have expressed the view that they would prefer the Manual to go through the Regulations in order with an explanatory page on each part.
7. There is a typo on page 5 'Baseline Information & Contributions from Stakeholders.' In the second sentence, the words 'that' and 'existing' are the wrong way round.
8. There is a typo on page 27 'Scoping' – should read "A cross-sectoral reference group would **be** a useful...."
9. It is recommended that the Manual be produced in a ring-binder format that will allow periodic updates and insertions of proforma and model forms as they are produced. This will also keep the Manual up-to-date without the need for frequent reprinting.

Are there any gaps/omissions of areas that require further of more detailed consideration? (Please note the comments about SA/SEA in the covering letter to this consultation)

10. It is considered that some areas of the Manual require more detail and could either include more guidance or refer (or 'signpost') the reader to other sources of information. Some suggestions are included in answer to the questions below.

QUESTIONS

Delivery Agreement

What additional techniques could be used to help make the delivery agreement timetable accurate and realistic?

11. Allowing contingency for unforeseen circumstances (e.g. the impact of the Habitat Directive upon the timetable) is essential. Whilst the Manual advises that the process should be kept under review and that contingency should be built into the timetable –

this relates chiefly to staff resources and time. An element of contingency should also be built into the timetable in terms of the budget – especially as the timetable is meant to cover a process lasting approximately 4 years. Local authorities will know neither their budget allocations nor their budget commitments this far in advance. Any shortfall in fiscal resources will impact severely on the timetable. A Gantt chart can be a useful tool for charting budget and resource allocation as well as providing a timeline.

12. It would be useful to show the LDP timeline against other local authority key strategies (Community Strategy, Economic Development and Regeneration strategies etc) as well as against the Wales Spatial Plan and Area Programmes to see how it all fits together in terms of a timeframe.

Does the document cover the main practical issues and challenges in considering the broad content and format of the LDP and SPG for timetable purposes? What are the practical considerations and techniques that could be deployed to build consensus on the strategy, in addition to those covered in the draft Manual?

13. It is likely that this stage of the process will require the most time, staff and budget resources in raising awareness of the LDP process, providing information and seeking to engage partners, stakeholders and the community. There are many practical considerations and techniques that should be considered at this stage, however, it is unlikely that a Manual could cover every eventuality as community involvement and building consensus will be different for each LDP and at each stage. Instead, further training (such as the training held in October with RTPI and The Consultation Institute as well as via Planning Aid Wales) would be a more effective way of helping local planning authorities and other stakeholders.

Is the role of partners and statutory bodies sufficiently explained?

14. The role of partners, statutory bodies and members of the community could be better explained. The definitions in the Glossary (page 73) are considered inadequate and there is much confusion about the terms consultation, engagement, participation and stakeholders. We have taken advice from The Consultation Institute in this regard, and refer to their definitions as follows:-

Consultation – “The dynamic process of dialogue between individuals or groups, based upon a genuine exchange of views, and normally with the objective of influencing decisions, policies or programmes of action.”

Engagement – Relates to a feeling of being ‘engaged’ in the process (i.e. an emotional response rather than a process). This is achieved only once and hence is not a process.

Participation – “The extent or nature of activity undertaken by a defined group.”

Stakeholder – “An individual, group or party that either affects or is affected by an organisation, policy, programme or decision. Stakeholders can be *internal* (e.g. employers) or *external* (e.g. customers, investors, citizens, passengers, patients etc). Stakeholders become consultees when participating in a consultation exercise.

15. The consequence of defining the term ‘consultation’ in loose terms as has been done in the Manual, is that on page 16 a distinction is drawn between a ‘Participation

phase' and a 'Consultation phase.' However, consultation is really just one form of participation (see definitions as outlined above).

Evidence and Objectives

What methods could most usefully be used to engage developers and landowners at this stage of the process without raising unrealistic expectations?

16. It would be helpful to include reference to regional partnerships such as the regional planning, housing and economic development forums (e.g. South East Wales Regional Planning Forum, Capital Wales, South East Wales Regional Housing Forum etc.) as well as referring to collaborative working between neighbouring authorities through the Wales Spatial Plan and Area Programmes.
17. As well as via collaborative work – as mentioned above – developers and landowners could be contacted via the professions network and wider partnerships (RICS, HBF, CBI, COC etc.)
18. Section 4.3.4 'Land Needs & Availability' should include reference to TAN 1.

Is the Manual clear about the scope of the evidence base/information baseline? What if any further practical guidance would be useful in addition to that set out in the document? Are there any other sources of information that should be referenced in Annexe B?

19. It may be necessary to provide further advice and guidance on the scope of the evidence base/information baseline and it is considered that this may be a topic that could be explained better through a training course or seminar in future.

Strategic Options and the Preferred Strategy

Is it clear how to develop and test a manageable number of realistic options for rates of growth and its broad spatial distribution? In not, what should be clarified?

20. It is suggested that this section should refer to the Area Programmes of the Wales Spatial Plan – in particular, the collaborative work being undertaken involving a wide range of stakeholders. In addition, section 5.3.2 'Levels of Growth/Change' should include and make reference to TAN 2.

Does the Manual provide enough information about the level of detail that should be set out by the Preferred Strategy Report?

21. Yes but include reference to WSP, collaborative work, area programmes and TAN 2.

Does the Manual make workable suggestions for handling an appropriate level of detail in relation to specific site proposals (including making explicit the SA results of all sites on the site register?)

22. Yes, although it is early days in the new LDP system. It may become apparent that local planning authorities will require further guidance and/or training on this aspect in time. The Pathfinders Group and LDP Stakeholders Group will play an important role in flagging up any areas in need of further clarification or any training needs.

LDP Preparation and Deposit

Is there sufficient information on how policy drafting can help to ensure that LDPs are strategic and focussed documents?

23. This section is comprehensive and provides sufficient information on how LDPs can be strategic yet focussed documents.

Is the Manual sufficiently clear on how to handle site allocation reps, and any subsequent actions, in a transparent manner?

24. This section of the Manual is sufficiently clear.

Are there any practical considerations in creating or using consultation database software that should be referred to in the Manual? What good practice exists?

25. Good practice examples, techniques and advice relating to e-Consultation, e-Government, the use of consultation database and software were all items included in the training seminar developed by the Consultation Institute and RTPi for local planning authorities on behalf of the Welsh Assembly. The main advice was for planning departments to work with other local authority departments in developing and maintaining a consultation database as well as pooling staff resources and consultation exercises. Further training on techniques, tools, e-consultation and database development could be topics included in future training and seminars held for local planning authorities.

Submission, Examination and Adoption

Does the Manual clarify all the main procedural requirements at this stage (outlined in draft guidance and legislation, including the Planning Inspectorate advice on assessing the soundness of LDPs)? If not, what further information is required?

26. It is considered that this section of the Manual includes the main procedural requirements at this stage. Further advice from the Welsh Assembly and the Planning Inspectorate (e.g. Model Forms) can be included as it becomes available.

Monitoring and Review

Is there merit in establishing a small set of Core LDP Indicators that would measure the overall progress of Welsh development plans in meeting their wider objectives?

27. If Core LDP Indicators are established to measure the overall progress of LDPs in meeting their wider objectives, then these should be developed in conjunction with the proposed Wales Spatial Plan Indicators and link to the Area Programmes. The WSP Indicators propose to collectively measure progress in spatial development and are to be published annually.

The Institute is grateful for the opportunity to comment on the draft LDP Manual and has no objection to these comments being made publicly available

Yours faithfully

Rebecca Phillips

Welsh Planning Policy Officer