

**SUBJECT: MONMOUTHSHIRE REPLACEMENT LOCAL DEVELOPMENT PLAN REVIEW OF ISSUES, VISION, OBJECTIVES AND EVIDENCE BASE IN LIGHT OF COVID-19 AND REVISED DELIVERY AGREEMENT**

**MEETING: COUNCIL**

**DATE: 22<sup>nd</sup> October 2020**

**1. PURPOSE:**

- 1.1 The purpose of this report is to provide Council with an update on the preparation of the Replacement Local Development Plan (RLDP) in light of the Covid-19 pandemic, with the Review of the RLDP Issues, Vision and Objectives and Evidence Base in terms of sensitivity to the consequences of the current pandemic. The report also seeks Council's agreement to the RLDP Revised Delivery Agreement, which amends the project timetable for Plan preparation and the Community Involvement Scheme in light of the pandemic and the recently published Welsh Government 2018-based population and household projections, for submission to the Welsh Government for approval.

**2. RECOMMENDATIONS:**

- 2.1 Council endorses the Review of the RLDP Issues, Vision and Objectives and Evidence Base, and agrees that these remain relevant in light of Covid-19 and that it is appropriate to progress with Plan preparation.
- 2.2 Council agrees the Revised Delivery Agreement, which amends the project timetable and the Community Involvement Scheme as a result of the Covid-19 pandemic and the recent publication of the 2018-based population and household projections, for submission to the Welsh Government for approval.

**3. KEY ISSUES:**

Background

- 3.1 The Council is preparing a Replacement Local Development Plan (RLDP) for the County (excluding the area within the Brecon Beacons National Park) to cover the period 2018-2033. Plan preparation reached the Preferred Strategy stage of the process in March 2020 when Council endorsed the Preferred Strategy for statutory consultation, engagement and stakeholder involvement (5<sup>th</sup> March 2020). At the same meeting, Members agreed a Revised Delivery Agreement for submission to the Welsh Government for the Cabinet Secretary's approval. This amended the Plan's timetable to reflect the delays incurred up to the Preferred Strategy stage as a result of the pre-election period preceding the December 2019 General Election, the additional time and work needed to inform the Preferred Strategy and delays associated with joint working with neighbouring local authorities on joint evidence. The revised timetable indicated that the RLDP would be adopted in March 2022.
- 3.2 Public consultation and engagement on the Preferred Strategy commenced on 9<sup>th</sup> March for a statutory 6 week period, alongside the second call for candidate sites, in accordance with the Revised Delivery Agreement (March 2020). A number of Preferred Strategy public engagement events, along with officer attendance at Area

Committees and Area Cluster meetings, were scheduled during the 6 week consultation period. Public engagement events were held at Monmouth (11<sup>th</sup> March 2020) and Raglan (12<sup>th</sup> March 2020). However, as a result of the emerging pandemic and associated lockdown requirements, it was not possible to complete the Preferred Strategy consultation/engagement and second call for candidate sites. These key stages were kept open to provide stakeholders with an extended time-period to submit consultation responses and candidate sites.

- 3.3 However, following the publication of a letter from the Minister for Housing and Local Government on 7<sup>th</sup> July 2020 (attached at **Appendix 1**), the decision was made to cease the RLDP Preferred Strategy Consultation and second call for sites on 20<sup>th</sup> July 2020. The letter requires Local Planning Authorities to undertake an assessment of the RLDP evidence base, strategy and policies in terms of sensitivity to the consequences of the current pandemic before progressing with Plan preparation. All stakeholders on the RLDP database were informed of this decision and also advised that candidate site submissions will not be accepted whilst we were undertaking a review of the RLDP evidence base. The Planning Policy web pages of the MCC website were updated accordingly.
- 3.4 This pause has enabled the Council to undertake a review of the RLDP evidence base in terms of sensitivity to the consequences the current pandemic. A review of the RLDP Issues, Vision and Objectives in light of the Covid-19 pandemic was endorsed by Cabinet on 17<sup>th</sup> June 2020. The review found that the Issues, Vision and Objectives hold true and that the RLDP should continue to progress. This report also invited Cabinet to note the delay in RLDP preparation associated with the Covid-19 pandemic, noting that this will necessitate Council approval of a Revised Delivery Agreement.

#### Review of the RLDP Issues, Vision and Objectives and Evidence Base in Light of Covid-19

- 3.7 In accordance with the Minister's letter, a review of the RLDP evidence base in light of the current pandemic has been undertaken. For completeness, the review incorporates the assessment of the RLDP Issues, Vision and Objectives that was undertaken in June 2020. This is attached at **Appendix 2**. This review should be submitted to the Welsh Government alongside the Revised Delivery Agreement<sup>1</sup>.
- 3.8 The review of Plan's Issues, Vision and Objectives has concluded that they remain relevant in light of Covid-19 and that it is appropriate to continue with the preparation of the RLDP on the basis of these values. However, given the need to revisit the Growth and Spatial Options and Preferred Strategy stages of the RLDP process as a consequence of the updated population and household projections (see para 3.12), the spatial element of the Vision will be reviewed alongside these stages.
- 3.9 The review also found that the evidence base remains relevant or is at a stage in its preparation that allows for the impacts of Covid-19 to be considered further as the Plan progresses towards the preparation of the revised Preferred Strategy and the detailed policies of the Deposit Plan. The review of the evidence base has highlighted a number of reports that need to be reviewed and updated to reflect the outcome of the remodeling of the growth options to take account of the 2018-based population and household projections and the consultation of the Growth and Spatial Options Paper that will follow. Whilst not directly in light of Covid-19, the updated evidence does allow for emerging Covid-19 information to be considered.

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<sup>1</sup> Minister for Housing and Local Government Letter to Local Authority Leaders and Chief Executives National Park Authority Chief Executives – Planning System and Covid-19, 7th July 2020

- 3.10 In undertaking this review, a number of key messages have emerged that will require ongoing consideration as the RLDP progresses through the Plan preparation process during the Covid-19 pandemic. These include:
- It is too soon for the long-term impacts of Covid-19 to be fully understood and for new trends to have been established. There is limited evidence available at present on the longer-term impacts of Covid-19 and it is therefore extremely challenging to estimate the pandemic's impact on issues such as household formation, housing supply and economic growth given the level of uncertainty around the situation.
  - The planning system has a fundamental role to play in supporting sustained recovery post Covid-19, as reflected in the Minister's recent letter, which recognises that "up to date agile development plans are the cornerstone of our planning system" and that Welsh Government's commitment to a Plan-led system has been reinforced by the current pandemic. The continuation of the preparation of the RLDP which seeks to provide a policy framework that addresses the County's issues and facilitates recovery and supports/enables sustainable and resilient communities is considered to be the appropriate way forward with the RLDP. The pandemic should not be used as an excuse to abandon ambition.
  - Given the level of uncertainty around the long-term impacts of Covid-19 and the timescales needed to recover from those impacts, flexibility with the development plan process and its implementation is considered to be essential in allowing Local Planning Authorities to pursue strategies that address long-term issues, as well as any Covid-19 impacts. A flexible approach within the development plan system to allow Plans the ability to react to evolving market conditions is considered to be essential in progressing RLDPs in the current climate. A flexible monitoring framework will be required as part of the Deposit Plan to respond to emerging and changing market conditions.
  - Welsh Government's paper on 'Building Better Places – Placemaking and the Covid-19 Recovery' (July 2020), highlights the role local community facilities and services and neighbourhoods have played during the lockdown and reinforces the importance of local level issues in improving an area's resilience to Covid-19 impacts and recovery. The RLDP, as the local level tier in the development plan hierarchy, is therefore considered to be essential to deliver the sustainable development principles set out in PPW10 and the immediate post Covid-19 priorities that are noted by Welsh Government in its response to the pandemic.

#### RLDP Revised Delivery Agreement (October 2020)

- 3.11 The Monmouthshire Replacement Local Development Plan (RLDP) Delivery Agreement was approved by Welsh Government on 14<sup>th</sup> May 2018. A Revised Delivery Agreement was subsequently submitted to, and approved by, the Minister for Housing and Local Government on 6<sup>th</sup> March 2020. This amended the Plan's timetable to reflect the delays incurred up to the Preferred Strategy stage of the RLDP process as a result of the pre-election period preceding the December 2019 General Election, the additional time and work needed to inform the Preferred Strategy and delays associated with joint working with neighbouring local authorities on joint evidence base work. The revised timetable indicated that the RLDP would be adopted in March 2022.
- 3.12 The current Covid-19 pandemic has resulted in inevitable and unavoidable delays to the RLDP process, as detailed in paragraphs 3.2-3.4 above. Delays to Plan preparation have been further exacerbated by the publication of the recently corrected Welsh Government (WG) 2018-based population and household projections (August 2020). These projections are the starting point for RLDP evidence on growth levels,

onto which policy choices can be added as needed, for example to ensure the issues are addressed, objectives met and vision achieved. The revised projections comprise important new evidence that requires consideration and we have therefore commissioned a revised suite of growth scenarios based on the corrected 2018 projections to ensure that the evidence base for the RLDP is robust and based on the most up to date information. Consequently, we will need to revisit both the Growth and Spatial Options and Preferred Strategy stages of the plan preparation process. This will inevitably add time to the preparation of the Plan.

3.13 The unavoidable delays to Plan preparation as a consequence of the current pandemic and publication of the updated population and household projections has necessitated a further revision to the RLDP Delivery Agreement. A Revised Delivery Agreement has therefore been prepared which sets out a revised RLDP timetable, including the dates for the revisiting the Growth and Spatial Options, Preferred Strategy and second call for candidate sites. The Community Involvement Scheme (CIS) has also been reviewed and adjusted in line with the Coronavirus Regulations (2020) and recent Ministerial advice<sup>2</sup> to reflect social distancing measures and other measures.

3.13 The updated timetable sets out the following revised dates for future key stages of the RLDP process.

<b>RLDP Key Stage</b>	<b>Original Date (May 2018)</b>	<b>Revised Date (March 2020)</b>	<b>Revised Date in Light of Covid-19 and 2018 population and household projections (October 2020)</b>
Growth and Spatial Options	March – July 2019	N/A	September 2020 – January 2021
Preferred Strategy Consultation and Second Call for Candidate Sites	November/December 2019	March/April 2020	May- June 2021
Deposit Plan – Political Reporting	September 2020	January 2021	July 2022
Deposit Plan – Consultation	September/October 2020	January/February 2021	July – September 2022
RLDP Submission to Welsh Government	March 2021	July 2021	February 2023
Examination	June/July 2021	October/November 2021	Spring 2023
Inspector's Report	October/November 2021	February 2022	Autumn 2023
Adoption	December 2021/January 2022	March 2022	Autumn 2023

3.14 The Revised Delivery Agreement timetable will result in a significant delay to the preparation and subsequent adoption of the RLDP, with the adoption of the RLDP anticipated in Autumn 2023. This delay will impact on the Council's ability to address the identified issues and objectives until the RLDP is adopted, and puts pressure on the deliverability of the housing and employment figures over the Plan period, with more reliance on delivery towards the end of the Plan. As noted above, it is therefore imperative that there is flexibility within the development plan process and its implementation to enable Local Planning Authorities to pursue strategies that address long-term issues, as well as any Covid-19 impacts.

<sup>2</sup> Minister for Housing and Local Government Letter to Local Authority Leaders and Chief Executives National Park Authority Chief Executives – Planning System and Covid-19, 7th July 2020

- 3.15 In terms of the time period before the RLDP is adopted, the Minister has very helpfully recently clarified that the provisions in the Planning (Wales) Act 2014 relating to LDP expiry dates do not apply to LDPs adopted prior to that Act coming into force. This letter is attached at **Appendix 3**. This means that our current LDP, adopted in February 2014, remains an extant development plan for decision-making purposes until the RLDP is adopted. Although policies in the current LDP may be superseded by more recent evidence after December 2021 or by new national planning policy, the Minister's clarification provides much needed clarity to all stakeholders and removes a considerable risk of having a policy vacuum. This clarification does not, however, change the urgent need for the Council to make timely progress on its RLDP and to get the new Plan adopted as soon as realistically possible. Timely progress is essential to address the identified issues and to support the Council's overarching purpose of helping build sustainable and resilient communities.
- 3.16 The Community Involvement Scheme has also been amended to reflect our revised consultation and engagement arrangements in light of the current pandemic. The manner in which public engagement events will take place has been reviewed in line with the Coronavirus Regulations (2020) and latest Ministerial advice to ensure social distancing measures and other adjustments can be put in place when conducting any public engagement events to ensure the safety of our colleagues and our communities. The Council has also reviewed digital involvement options to provide our communities and stakeholders with information and the ability to engage in Plan process in a virtual manner.
- 3.18 The Revised Delivery Agreement is attached at **Appendix 4**. The Delivery Agreement must be approved by resolution of the Council and submitted to the Welsh Ministers for agreement<sup>3</sup> in accordance with Regulation 9 of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (as amended 2015). Following agreement by the Welsh Government, work will continue on the preparation of the RLDP in accordance with the Revised Delivery Agreement. All stakeholders on the RLDP database will be informed of the Revised Delivery Agreement and the Planning Policy webpages will be updated accordingly.

#### **4. EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING):**

- 4.1 The Planning and Compulsory Purchase Act (2004) sets out the requirement for all LDPs to be subject to a Sustainability Appraisal (SA). All stages of the RLDP will be subject to an Integrated Sustainability Assessment (including Strategic Environmental Assessment (SEA)), Well-being of Future Generations (WBFG), Health Impact Assessment (HIA), Equality Impact Assessment (EqIA), and Welsh Language Impact Assessment (WLIA)), whose findings will be used to inform the development of the RLDP strategy, policies and site allocations in order to ensure that the Plan will be promoting sustainable development.
- 4.2 A Future Generations Evaluation (including equalities and sustainability impact assessment) is attached to this report at **Appendix 5**.

##### Safeguarding and Corporate Parenting

- 4.3 There are no safeguarding or corporate parenting implications arising directly from this report.

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<sup>3</sup> As advised in the Minister's letter of 7<sup>th</sup> July 2020, the Chief Planner has been authorised to agree revised Delivery Agreements during the current pandemic in order to avoid unnecessary delays.

## 5. OPTIONS APPRAISAL

### Review of the RLDP Issues, Vision and Objectives and Evidence Base in Light of Covid-19

Option	Benefit	Risk	Comment
<p>Endorse the Review of the RLDP Issues, Vision and Objectives and Evidence Base in light of Covid-19 for submission to the Welsh Government alongside the Revised Delivery Agreement, and endorse that work on the RLDP should progress.</p>	<p>This would enable the RLDP preparation process to progress in a timely manner in accordance with the Revised Delivery Agreement. It is important that the RLDP is expedited to address the issues and objectives, including our demographic and affordability challenges, and to deliver the Council's core purpose to build sustainable and resilient communities that support the well-being of current and future generations.</p>	<p>The RLDP is prepared in the absence of full evidence of the implications of Covid-19. This may trigger an early Plan review if the long-term implications of Covid-19 impact on the delivery of the RLDP. However, this evidence will only be known once medium-long term trends are established. The RLDP cannot feasibly be delayed this long.</p>	<p>This is the preferred option. The Review has determined that the RLDP Issues, Vision, Objectives and Evidence Base remain relevant and appropriate to the County in light of Covid-19.</p>
<p>Make amendments to the Review of the RLDP Issues, Vision and Objectives and Evidence Base in Light of Covid-19 for submission to the Welsh Government, alongside the Revised Delivery Agreement.</p>	<p>If it is considered that Covid-19 raises issues which are not currently adequately addressed in the Review, this is an opportunity to rectify that.</p>	<p>Any amendments to the Review could lead to a significant delay in the RLDP preparation process and in adopting the Plan with resultant implications, including not being able to address our fundamental demographic and affordability challenges.</p>	<p>The Review has determined that the RLDP Issues, Vision, Objectives and Evidence Base remain relevant and appropriate to the County in light of Covid-19. Further amendments are not considered necessary.</p>
<p>Pause the preparation of the RLDP until the implications of Covid-19 are fully known. Do not endorse the Review of the RLDP Issues, Vision and Objectives and Evidence Base in Light of Covid-19 for submission to the Welsh Government, alongside the Revised Delivery Agreement.</p>	<p>The RLDP is prepared having full regard to the evidence associated with the long-term implications of Covid-19. However, the Review of the RLDP Issues, Vision and Objectives and Evidence Base has demonstrated that these remain relevant in light of Covid-19.</p>	<p>It is likely to be some time before the long-term implications of Covid-19 are fully known and supporting evidence is available. Pausing preparation of the RLDP would lead to a significant delay in Plan progress. It is likely that issues, vision and objectives stage of the RLDP would need to be revised and additional associated evidence gathering needed. This would also have time implications in relation to the ISA and HRA processes. This would</p>	<p>The Review has determined that the RLDP Issues, Vision, Objectives and Evidence Base remain relevant and appropriate to the County in light of Covid-19.</p> <p>It is not considered necessary or appropriate to pause the preparation of the RLDP in light of Covid-19. The planning system has a fundamental role in supporting sustained recovery post Covid-19, with Welsh</p>

Option	Benefit	Risk	Comment
		lead to a significant delay in preparing further stages of the RLDP and in adopting the Plan with resultant implications as the Council would be without an up-to-date development plan for a considerable period.	Government's commitment to a Planned system reinforced by the current pandemic. It is imperative, therefore, that the RLDP is progressed in a timely manner.

RLDP Revised Delivery Agreement October 2020

Option	Benefit	Risk	Comment
Agree the Revised Delivery Agreement, which amends the project timetable and Community Involvement Scheme in light of the Covid-19 pandemic and updated population and household projections, for submission to the Welsh Government for approval.	This would enable the RLDP preparation process to progress in a timely manner.	That the amended timetable and community involvement arrangements cannot be achieved due to the ongoing pandemic or other interruptions.	This is the preferred option. Every effort has been made to ensure the RLDP timetable and Community Involvement Scheme is realistic having regard to the implications of the current pandemic and known future events such as elections. It is considered appropriate to revisit the Growth and Spatial Options and Preferred Strategy stages of the Plan preparation process as a consequence of the updated projections.
Amend the Revised Delivery Agreement for submission to the Welsh Government for approval.	Revised Delivery Agreement could be amended to reflect comments, as relevant.	Any amendments to the Revised Delivery Agreement would lead to a further delay in the RLDP process. This delay would have subsequent impacts on the Council's ability to address the RLDP issues and objectives until the RLDP is adopted, and puts pressure on the deliverability of the housing and employment figures over the Plan period.	The Revised Delivery Agreement, as drafted, sets out a realistic timescale and community involvement arrangements for further key stages of the RLDP process having regard to the implications of the current pandemic and the need to take account of the updated population and household projections.
Do not agree the Revised Delivery Agreement, which amends the project timetable and Community Involvement Scheme in light of the Covid-19		This would lead to a significant delay in the RLDP process. The Delivery Agreement must be agreed by the Welsh Government to enable Plan preparation to	The Revised Delivery Agreement, as drafted, sets out a realistic timescale and community involvement arrangements for further key stages of the RLDP process

Option	Benefit	Risk	Comment
pandemic and the updated population and household projections, for submission to the Welsh Government for approval.		progress. Failure to agree the Delivery Agreement would result in significant delays to the RLDP process with associated negative implications and risks. The planning system has a fundamental role in supporting sustained recovery post Covid-19, with Welsh Government's commitment to a planned system reinforced by the current pandemic. It is imperative, therefore, that the RLDP is progressed in a timely manner.	having regard to the implications of the current pandemic and the need to take account of the updated population and household projections.

## 6. RESOURCE IMPLICATIONS

- 6.1 Officer time and costs associated with the preparation of the Review of Issues, Vision and Objectives and Evidence Base in Light of Covid-19 and a Revised Delivery Agreement and associated Community Involvement Scheme. The Community Involvement Scheme will result in additional time and resources given the need to engage with communities in line with social distancing regulations. Any costs will be met from the Planning Policy budget.
- 6.2 Overall, the LDP is funded by a combination of the Planning Policy budget and the LDP reserve. Additional staffing resource has been agreed to support timely delivery of the RLDP and to reduce reliance on consultants.

## 7. CONSULTEES

- Planning Policy team
- Senior Leadership Team
- Enterprise DMT
- Cabinet Member for Enterprise and Land-use Planning

## 8. BACKGROUND PAPERS

- RLDP Revised Delivery Agreement (March 2020)
- RLDP Delivery Agreement (May 2018)
- Sustainable Settlements Appraisal (March 2020)
- Growth and Spatial Options Report of Consultation (March 2020)
- Growth and Spatial Options Background Paper (March 2020)
- Housing Background Paper (March 2020)
- Monmouthshire Employment Land Review (BE Group, February 2020)
- Issues, Vision and Objectives Paper (January 2019, as amended June 2019 and March 2020)
- Growth and Spatial Options Consultation Paper (June 2019)



- Monmouthshire, Blaenau Gwent and Torfaen LDP Demographic Evidence (Edge Analytics, June 2019)
- Monmouthshire Demographic Evidence Addendum Report (Edge Analytics, October 2019)
- Monmouthshire Affordable Housing Evidence Addendum Report ( Edge Analytics, December 2019)
- Monmouthshire Employment Land Review (BE Group, February 2020)
- Regional Employment Study - Larger Than Local Study (BE Group, March 2020)
- Monmouthshire 2040: Our Economic Growth and Ambition Statement (November 2019) and supporting MCC Economies of the Future Reports (2018)
- Vision 2040 Inward Investment Prospectus (MCC, March 2020)
- Local Housing Market Assessment (MCC, September 2018)
- Retail Background Paper (MCC, March 2020)
- Employment Land Background Paper (MCC, August 2019)
- Review of Employment Land Review (BE Group, August 2020)

**9. AUTHORS:**

Mark Hand

Head of Placemaking, Housing, Highways and Flooding

Craig O'Connor

Head of Planning

Rachel Lewis

Planning Policy Manager

**10. CONTACT DETAILS:**

Tel: 07773478579

[markhand@monmouthshire.gov.uk](mailto:markhand@monmouthshire.gov.uk)

Tel: 07816175737

[craigoconnor@monmouthshire.gov.uk](mailto:craigoconnor@monmouthshire.gov.uk)

Tel: 01633 644827

[rachellewis@monmouthshire.gov.uk](mailto:rachellewis@monmouthshire.gov.uk)

**APPENDICES:**

**APPENDIX 1: Minister for Housing and Local Government Letter to Local Authority Leaders and Chief Executives National Park Authority Chief Executives – Planning System and Covid-19, 7<sup>th</sup> July 2020**

**APPENDIX 2: Review of the RLDP Issues, Vision and Objectives and Evidence Base in Light of Covid-19, September 2020**

**APPENDIX 3: Minister for Housing and Local Government Letter to Local Authority Leaders and Chief Executives National Park Authority Chief Executives – LDP end dates, 24<sup>th</sup> September 2020**

**APPENDIX 4: Revised Delivery Agreement, October 2020**

**APPENDIX 5: Future Generations Evaluation**