Adran Tai ac Adfywio
Department for Housing and Regeneration

To All Chief Planning Officers

Copied to: LPA Development Plan
Officers, Cadw, NRW, PAW, PINS
Wales, POSW, RTPI Cymru, WLGA

8 July 2013

Dear Colleague

LOCAL DEVELOPMENT PLANS: ALTERNATIVE SITES
[Site Allocation Representations – Regulation 20 of The Town and Country Planning (Local Development Plans) (Wales) Regulations 2005]

Site allocations can only be included in an adopted plan where the Inspector is satisfied that the local planning authority has followed the appropriate procedural tests, including clarity of its statutory notifications and sustainability appraisal requirements (including SEA).

This advice should be considered alongside the current guidance on the alternative sites stage at paragraph 4.26 of Local Development Plans Wales 2005, paragraphs 7.5.2 & 8.4.4 and Annex D Model Notice 3 of the Local Development Plans Manual 2006, and, clarification letters CL-01-2010 and CL-01-2011.
(Link to guidance: http://wales.gov.uk/topics/planning/development-plans/localdevelopmentplans/?lang=en.)

Firstly, I would draw your attention to the need for clarity when advertising site allocation representations. Paragraph 4 of the amended Model Notice 3 (Notice of Site Allocation Representations on a Local Development Plan) currently advises that the 'schedule of representations does not reflect the position of the LPA itself'. However, this position may change as the LDP progresses towards adoption. The examination Inspector may wish to introduce an alternative (new or altered) site into the LDP; this would generally only be the case where it is evidenced that the proposed LDP allocations cannot adequately meet the evidenced need, and on the recommendation of the authority as the examination hearings progress.

To enable this, it is necessary for the LDP examination inspector to be confident that everyone affected by this potential change to the Deposit Plan has had the opportunity to comment and make their views known. It is therefore vital that a local planning authority ensures that anyone reading its Regulation 20(2) notifications is clear that they must use this consultation period to make formal representation as there will not necessarily be an

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opportunity at a later stage should the authority or the Inspector wish to include the alternative (new or altered) site in the LDP.

Local planning authorities are advised to include the following changes (shown highlighted and in italics) to paragraph 4 of Model Notice 3 'Notice of Site Allocation Representations on a Local Development Plan':
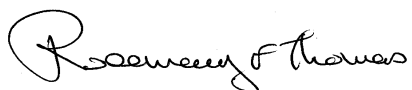
> "The schedule of representations does not reflect the *current* position of the Local Planning Authority itself. It has yet to decide whether it is in favour of any of these suggested changes. Whether the deposit LDP is changed *could in the end be* a matter for an independent Inspector. Representations (including those in the form of objections) in respect of the site allocation representations should be sent in writing to (7) or made on-line to (8) before (9). *Representations need to be made to the Local Planning Authority now because, whilst the new or altered site is currently not being promoted as being included in the LDP, the allocation may be considered necessary by the Local Planning Authority or Inspector at a later stage to ensure the plan can be found 'sound'."*

The Planning Portal includes a model form for the 'alternative sites' stage which has been prepared by the Planning Inspectorate Wales with input from Planning Aid Wales; the form will be amended to reflect this advice. (Link to model forms: http://www.planningportal.gov.uk/planning/planningsystem/localplans#form)

Secondly, it is vital that the authority ensure that the **cumulative impact** of any site(s) it proposes for inclusion in the plan, including Focused Changes and in response to the examination hearing sessions, is considered through SA / SEA work.

If you have any queries please contact the Plans Branch (029 2082 6956).

Yours sincerely

[signature: Rosemary Thomas]

ROSEMARY THOMAS

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