



**Circular Letter** to all:

Local Planning Authorities in Wales:

- Chief Planning Officers
- Development Plan Lead Officers

*Copied to:*

- Targeted Recipients (PINS Wales, WLGA, POSW, RTPI Cymru, PAW)

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Dyddiad : Date 10 June 2009

Dear Colleague

**Local Development Plans**

**- Important Guidance on Procedure for Advertising Focussed Changes to the Deposit LDP**

Together with colleagues in the Planning Inspectorate, the Assembly Government has given further consideration on how best to deal with changes that a local planning authority considers appropriate to make to the advertised deposit plan, following its consideration of responses received during statutory public consultation.

National planning guidance states that amongst the documentation to be provided when the local development plan (LDP) is submitted for examination is a consultation report including the local planning authority's "*recommended changes in response to relevant representations or new information that in the authority's view would amend the deposit plan without jeopardising its soundness*" (LDP Wales 2005 , para 4.33 v.e.).

At present guidance on making formal changes after the deposit stage is stated at paragraph 4.29 of *LDP Wales* and at section 7.6.3 of the *LDP Manual*; the late changes referred to here are considered to be appropriate only exceptionally and where necessary. We continue to advise that changes after deposit should be avoided wherever possible through careful deposit plan preparation involving stakeholders and the community, grounded on robust evidence. We expect that local planning authorities will place plans on deposit that they consider to be sound.

In considering representations received to the deposit plan, however, the local planning authority may consider that certain changes would be appropriate to ensure that the LDP is sound. This should be an extremely limited number of focussed changes that reflect key pieces of evidence but do not go to the heart of the plan, affecting only limited parts of it. In order for the Inspector to be able to incorporate any such **focussed changes** desired by the local planning authority in the binding Report it will be essential that satisfactory consultation



has first taken place and that the focussed changes are in accordance with the sustainability appraisal. Such consultation should take place at the earliest opportunity to avoid delaying the examination process.

Consequently, to facilitate logical and rational changes being brought forward to the examination in the most appropriate and time efficient way, we consider that when the local planning authority submits its LDP for examination, it should also advertise through public consultation (6-week period) an **addendum** to the deposit plan setting out the focussed changes it wishes to be made. The documentation should make clear that this is not a general opportunity for representors to add to their original representation. The addendum would form an important part of the package of documents submitted to the Assembly Government and Planning Inspectorate with the deposit plan for examination. The local planning authority would collate the responses it receives and forward them directly to the Planning Inspector so that he/she has all the information necessary to consider such changes early in the examination process. There is no need for the local planning authority to comment on the responses received. For clarity and expediency the addendum should show the new / revised policies and text, together with the reasoning for the changes.

If the local planning authority is considering making **fundamental changes** that affect the strategy and are of such a significant nature and scale as to go to the heart of the plan, it will need to give considerable thought as to how the plan can be taken forward. Such fundamental changes could have implications regarding the 'soundness' of the plan. The local planning authority will need to consider the extent to which the need for such fundamental change throws into doubt the overall soundness of the deposit plan.

Necessary **minor editing changes** for factual correction do not require public consultation and should not be included in the advertised addendum as the Inspector has sufficient authority to make such editing changes. These changes could simply be listed as an attached schedule to accompany the LDP when submitted for examination.

There should be no need to amend the **LDP Timetable**. This step is not intended to delay submission nor lead to an overall delay to the examination process; the Planning Inspector will arrange the date of the pre-examination meeting and the date of the opening of the hearings accordingly.

National planning guidance will be amended in due course to take account of the advice in this letter.

If you have any queries please contact the Development Plans Team (details below).

Yours sincerely



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