

# Sylwadau Dros y We / Representations via the Internet

Rhif Sylw / Rep Id: **119**

Enw / Name: **Home Builders Federation Ltd (Mr Mark Harris) [1470]**

Rhan: **POLISI STRATEGOL PS2**

Section: **STRATEGIC POLICY PS2**

Math / Type: **Gwrthwynebu / Object**

## Crynodeb o'r Sylw:

Gwneud i ffwrdd â'r ail frawddeg gan nad oes angen hon yn y polisi a dylai fod yn y testun cefnogi. Wrth gyfeirio at symiau a gyfnewidiwyd, mae angen i hwn hefyd gyfeirio at fabwysiadu gan nad oes modd cael un heb y llall. Mae angen diffinio 'Seilwaith Hanfodol'. Mae angen eglurder rhwng seilwaith megis gwasanaethau a ffyrdd sy'n hanfodol a chyfraniadau eraill Datblygwyr fel y'u rhestrir ym mholisi ISA1 y dylid negodi yn eu cylch yn seiliedig ar effaith /hyfywedd y cynllun ac na ddylent fod yn 'ddisgwyliedig'. Dileu yr ail frawddeg. Cynnwys cyfeiriad tuag at fabwysiadu. Diffinio 'isadeiledd anghenrheidiol'.

## Representation Summary:

Delete the second sentence as this is not needed in the policy and should be in the supporting text. When referring to commuted sums this also needs to refer to adoption as one can not have one without the other.

'Essential Infrastructure' needs to be defined. There needs to be clarity between infrastructure such as services and roads which are essential and other Developer contributions as listed in policy ISA1 which should be negotiated based on the impact/ viability of the scheme not 'expected'.

Delete the second sentence.

Include reference to adoption.

Define 'essential infrastructure'.

## Sylw Llawn / Full Representation:

Delete the second sentence as this is not needed in the policy and should be in the supporting text. When referring to commuted sums this also needs to refer to adoption as one can not have one without the other.

'Essential Infrastructure' needs to be defined. There needs to be clarity between infrastructure such as services and roads which are essential and other Developer contributions as listed in policy ISA1 which should be negotiated based on the impact/ viability of the scheme not 'expected'.

## Newid(iadau) i'r Cynllun

Delete the second sentence. Include reference to adoption. Define 'essential infrastructure'.

## Change(s) to the Plan

Delete the second sentence.

Include reference to adoption.

Define 'essential infrastructure'.

Profion Cadernid / Soundness Tests: None

## Rhestr Wirio Sylwadau Cynllun Adnau

Cyfeirnod Person: 1521

Cyfeirnod y Sylw: 1088

PS2

Dyddiad Derbyn: 31/3/15

### 1) Mewnbynnu

A yw'r sylw ac atodiadau (sy'n cynnwys copi o'r ffurflen wreiddiol) wedi'i fewnbynnu i'r system JDi?  Y  N

Dyddiad: 80/5/15 Swyddog: 

Oes angen grynhoad?  Y  N

Ydy'r crynhoad yn gywir?  Y  N (angen sicio fod y newid maent ei angen yn y crynhoad)

Dyddiad llythyr crynhoad sylwadau wedi'i yrru:.....

Dyddiad dderbyn ateb .....:.....

Dyddiad addasu'r crynhoad mewn ymateb i sylwadau'r gwrthwynebydd .....

### 2) Cyfieithu

Dyddiad gyrru i'r Uned Cyfieithu: .....

Dyddiad dderbyn y cyfieithiad: .....

A yw'r cyfieithiad wedi'i mewnbynnu i'r system JDi?  Y  N Dyddiad:

8/7/15

### 3) Cadarnhau'r Sylw

A yw'r sylw wedi ei gadarnhau ar y System JDi?  Y  N Dyddiad: .....

Nodyn:



constrain development within these areas, and therefore we strongly recommend that Dwr Cymru / Welsh Water's views are sought on this specific issue.

### **Water Resources Capacity**

NRW wish to highlight that there is uncertainty as to whether there will be adequate water resource capacity during the operation of the proposed Wylfa Newydd. The requirements to increase water capacity has the potential for environmental impacts.

Your Authority should be aware of the potential need for the LDP's focus changes or monitoring of the plan to take into consideration any updated information provided by Horizon with regards to water capacity requirements.

} 1088

We thank you for the opportunity to provide comments on the draft Deposit Plan and associated assessments including Sustainability Appraisal and Habitats Regulation Assessment. We trust that the

Should you wish clarification on any of the matters raised, please do not hesitate to contact us.

Yours Sincerely

*Angharad Wyn Crump*

**Angharad Wyn Crump MRTPI  
Senior Casework Officer  
Development Planning Advice Service  
North and Mid Region**

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## Sylwadau Dros y We / Representations via the Internet

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Rhif Sylw / Rep Id: **145**

Enw / Name: **Ellesmere Sand & Gravel Company Limited [2686]**

Rhan: **POLISI STRATEGOL PS2**

Section: **STRATEGIC POLICY PS2**

Math / Type: **Gwrthwynebu / Object**

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### **Crynodeb o'r Sylw:**

Nid oes diffiniad o ba ddatblygiad fydd â pha rwymedigaethau cynllunio. O ystyried nodweddion penodol cloddio mwynau, ni ddylai datblygiadau mwynau fod yn destun ASC.

### **Representation Summary:**

There is no definition of what development will be subject to what planning obligations.

Given the specific characteristics of mineral extraction, Minerals development should not be subject to CIL.

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### **Sylw Llawn / Full Representation:**

There is no definition of what development will be subject to what planning obligations.

### **Newid(iadau) i'r Cynllun**

Given the specific characteristics of mineral extraction. Minerals development should not be subject to CIL.

### **Change(s) to the Plan**

Given the specific characteristics of mineral extraction. Minerals development should not be subject to CIL.

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**Profion Cadernid / Soundness Tests:** None

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## Sylwadau Dros y We / Representations via the Internet

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Rhif Sylw / Rep Id: **144**

Enw / Name: **Lafarge Tarmac Trading Limited [2735]**

Rhan: **POLISI STRATEGOL PS2**

Section: **STRATEGIC POLICY PS2**

Math / Type: **Gwrthwynebu / Object**

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### **Crynodeb o'r Sylw:**

Nid oes diffiniad o ba ddatblygiad fydd â pha rwymedigaethau cynllunio.

### **Representation Summary:**

There is no definition of what development will be subject to what planning obligations.

Given the specific characteristics of mineral extraction. Minerals development should not be subject to CIL.

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### **Sylw Llawn / Full Representation:**

There is no definition of what development will be subject to what planning obligations.

### **Newid(iadau) i'r Cynllun**

Oherwydd cymeriad penodol echdyniad mwynau, ni ddylai fod yn destun CIL

### **Change(s) to the Plan**

Given the specific characteristics of mineral extraction. Minerals development should not be subject to CIL.

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**Profion Cadernid / Soundness Tests:** None

Rhestr Wirio Sylwadau Cynllun Adnau

**Cyfeirnod Person:** 2919

**Cyfeirnod y Sylw:** 1125

**Dyddiad Derbyn:** 31/3/15

**1) Mewnbynnu**

A yw'r sylw ac atodiadau (sy'n cynnwys copi o'r ffurflen wreiddiol) wedi'i fewnbynnu i'r system JDi?  Y /  N

Dyddiad: 13/5/15 Swyddog: N. S.

Oes angen grynhoad?  Y /  N

Ydy'r crynhoad yn gywir?  Y /  N (angen sicio fod y newid maent ei angen yn y crynhoad)

Dyddiad llythyr crynhoad sylwadau wedi'i yrru:.....

Dyddiad dderbyn ateb .....:.....

Dyddiad addasu'r crynhoad mewn ymateb i sylwadau'r gwrthwynebydd .....

**2) Cyfieithu**

Dyddiad gyrru i'r Uned Cyfieithu: 14/5/15

Dyddiad dderbyn y cyfieithiad: .....

A yw'r cyfieithiad wedi'i mewnbynnu i'r system JDi?  Y /  N Dyddiad:

3/7/15

**3) Cadarnhau'r Sylw**

A yw'r sylw wedi ei gadarnhau ar y System JDi?  Y /  N Dyddiad: .....

Nodyn:



	JLDP Policy	Para ref	Consultation responses	Specific amendments sought
14.	<p>Chapter 7 Managing growth and Development</p> <p>– Safe, healthy, Distinctive and vibrant communities</p>	7.1.10 – 7.1.14	<p>Horizon considers the clarity of these paragraphs should be improved.</p> <p>There is little consistency in the terminology used such that the Plan is not clear as to expectations in terms of what the Councils are proposing when referring to "community benefits".</p> <p>There appears to be overlap in the use of this term to cover a number of concepts :</p> <ul style="list-style-type: none"> <li>• Section 106 obligations (as referred to in PS2).</li> <li>• "community infrastructure contributions" (7.1.10) and "infrastructure provision" (7.1.11)</li> <li>• Planning obligations (7.1.10 and 7.1.11)</li> <li>• CIL levy receipts (7.1.10)</li> <li>• Voluntary "community benefits" offered by developers.</li> </ul> <p>Horizon proposes that the following terms are used with the following definitions (the amendments proposed are made on this basis):</p>	<p><b>Amend the paragraphs to read:</b></p> <p>7.1.10 New development will often require new or rely on existing infrastructure, services and facilities to make proposals acceptable in land use planning terms. <u>Statutory community benefits</u>, related to proposed development and necessary for the grant of planning permission, can be sought from developers providing they meet the tests in the <u>Community Infrastructure Levy Regulations 2010</u> as set out in paragraph <u>7.1.6</u> <del>are fairly and reasonably related in scale and in kind to the proposal.</del> It is important that the provision of infrastructure for a development site is located and designed in such a way as to minimise the impact on the natural and built environment. The amenities of local residents should also be protected. <u>Statutory Bbenefits community-infrastructure-contributions-will be secured either through planning Section 106 obligations as set-out in under the Town and Country Planning Act 1990, as planning permission conditions or, in the event a CIL charging regime is introduced by the Councils, through levy CIL receipts under the Community Infrastructure Levy Regulations 2010.</u></p> <p>7.1.11 <u>Statutory Benefits A planning obligation is a legally binding agreement entered into between a local authority and a developer. Planning obligations are a means by which financial and non financial contributions can be secured to enhance the quality of a development, provide community benefits and infrastructure, and mitigate any negative impacts that may arise as a consequence of development. The type and value of Statutory Benefits planning obligations sought in connection with a development planning permission will be considered on a case by case basis. Particularly the Councils will look to use Statutory Benefits to secure appropriate contributions from developers where existing Where infrastructure provision is not available or is inadequate, the Council will look to the developer to make an appropriate contribution.</u></p>

125

	JLDP Policy	Para ref	Consultation responses	Specific amendments sought
			<ul style="list-style-type: none"> <li>• "Statutory Benefits" means "Section 106 Obligations", "CIL receipts" and "planning permission conditions"; in each case these may only be imposed in accordance with regulation 122 of the CIL Regulations.</li> <li>• "section 106 obligations" or "planning obligations" means monies or provision of infrastructure secured pursuant to a section agreement or section 106 unilateral undertaking in accordance with s106 of the Town and Country planning Act 1990.</li> <li>• "CIL receipts" means monies paid to the collecting authority Councils pursuant to a CIL charging regime which may in the future be implemented by the Councils.</li> <li>• "planning permission conditions" means conditions to a planning permission which may require the development of infrastructure or provision of mitigation works as a condition of the development.</li> <li>• "Voluntary community benefits" means benefits which a developer may choose to provide on a purely voluntary basis for example to ensure a positive relationship</li> </ul>	<p>7.1.12 The tests set out in Circular 13/97 and the Community Infrastructure Levy Regulations 2010 will be used to determine when it would be appropriate to seek <u>Statutory Benefits-planning-obligation</u>. Supplementary Planning Guidance will be published to provide further advice on the matter.</p>



Rhestr Wirio Sylwadau Cynllun Adnau

Cyfeirnod Person: 2919

Cyfeirnod y Sylw: 1126

Dyddiad Derbyn: 31/3/5

**1) Mewnbynnu**

A yw'r sylw ac atodiadau (sy'n cynnwys copi o'r ffurflen wreiddiol) wedi'i fewnbynnu i'r system JDi?  Y /  N

Dyddiad: 13/5/15 Swyddog: 

Oes angen crynhoad?  Y /  N

Ydy'r crynhoad yn gywir?  Y /  N (angen sicio fod y newid maent ei angen yn y crynhoad)

Dyddiad llythyr crynhoad sylwadau wedi'i yrru:.....

Dyddiad dderbyn ateb .....:.....

Dyddiad addasu'r crynhoad mewn ymateb i sylwadau'r gwrthwynebydd .....

**2) Cyfieithu**

Dyddiad gyrru i'r Uned Cyfieithu: 14/5/15

Dyddiad dderbyn y cyfieithiad: .....

A yw'r cyfieithiad wedi'i fewnbynnu i'r system JDi?  Y /  N Dyddiad: 3/7/15

**3) Cadarnhau'r Sylw**

A yw'r sylw wedi ei gadarnhau ar y System JDi?  Y /  N Dyddiad: .....

Nodyn:



	JLDP Policy	Para ref	Consultation responses	Specific amendments sought
14.	<p>Chapter 7 Managing growth and Development – Safe, healthy, Distinctive and vibrant communities</p>	<p>7.1.10 – 7.1.14</p>	<p>Horizon considers the clarity of these paragraphs should be improved.</p> <p>There is little consistency in the terminology used such that the Plan is not clear as to expectations in terms of what the Councils are proposing when referring to "community benefits".</p> <p>There appears to be overlap in the use of this term to cover a number of concepts :</p> <ul style="list-style-type: none"> <li>• Section 106 obligations (as referred to in PS2).</li> <li>• "community infrastructure contributions" (7.1.10) and "infrastructure provision" (7.1.11)</li> <li>• Planning obligations (7.1.10 and 7.1.11)</li> <li>• CIL levy receipts (7.1.10)</li> <li>• Voluntary "community benefits" offered by developers.</li> </ul> <p>Horizon proposes that the following terms are used with the following definitions (the amendments proposed are made on this basis):</p>	<p><b>Amend the paragraphs to read:</b></p> <p>7.1.10 New development will often require new or rely on existing infrastructure, services and facilities to make proposals acceptable in land use planning terms. <u>Statutory community benefits</u>, related to proposed development and necessary for the grant of planning permission, can be sought from developers providing they <u>meet the tests in the Community Infrastructure Levy Regulations 2010 as set out in paragraph 7.1.6 are fairly and reasonably related in scale and in kind to the proposal.</u> It is important that the provision of infrastructure for a development site is located and designed in such a way as to minimise the impact on the natural and built environment. The amenities of local residents should also be protected. <u>Statutory benefits community infrastructure contributions will be secured either through planning Section 106 obligations as set out in under the Town and Country Planning Act 1990, as planning permission conditions or, in the event a CIL charging regime is introduced by the Councils, through levy CIL receipts under the Community Infrastructure Levy Regulations 2010.</u></p> <p>7.1.11 <u>Statutory Benefits A planning obligation is a legally binding agreement entered into between a local authority and a developer. Planning obligations are a means by which financial and non financial contributions can be secured to enhance the quality of a development, provide community benefits and infrastructure, and mitigate any negative impacts that may arise as a consequence of development. The type and value of Statutory Benefits planning obligations sought in connection with a development planning permission will be considered on a case by case basis. Particularly the Councils will look to use Statutory Benefits to secure appropriate contributions from developers where existing infrastructure provision is not available or is inadequate, the Council will look to the developer to make an appropriate contribution.</u></p>

1126

JLDP Policy	Para ref	Consultation responses	Specific amendments sought
		<ul style="list-style-type: none"> <li>• "Statutory Benefits" means "Section 106 Obligations", "CIL receipts" and "planning permission conditions"; in each case these may only be imposed in accordance with regulation 122 of the CIL Regulations.</li> <li>• "section 106 obligations" or "planning obligations" means monies or provision of infrastructure secured pursuant to a section agreement or section 106 unilateral undertaking in accordance with s106 of the Town and Country planning Act 1990.</li> <li>• "CIL receipts" means monies paid to the collecting authority Councils pursuant to a CIL charging regime which may in the future be implemented by the Councils.</li> <li>• "planning permission conditions" means conditions to a planning permission which may require the development of infrastructure or provision of mitigation works as a condition of the development.</li> <li>• "Voluntary community benefits" means benefits which a developer may choose to provide on a purely voluntary basis for example to ensure a positive relationship</li> </ul>	<p>7.1.12 The tests set out in Circular 13/97 and the Community Infrastructure Levy Regulations 2010 will be used to determine when it would be appropriate to seek <u>Statutory Benefits-planning-obligation</u>. Supplementary Planning Guidance will be published to provide further advice on the matter.</p>