

Active Travel Route: Sully to Cosmeston

Planning Statement

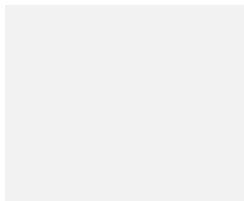
Vale of Glamorgan Council

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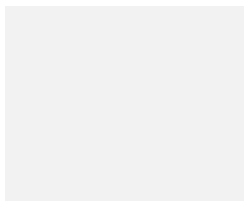
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This report dated 01 October 2024 has been prepared for Vale of Glamorgan (the "Client") in accordance with the terms and conditions of appointment between the Client and Arcadis Consulting (UK) Limited **Arcadis (UK) Limited** ("Arcadis") for the purposes specified in the Appointment. For avoidance of doubt, no other person(s) may use or rely upon this report or its contents, and Arcadis accepts no responsibility for any such use or reliance thereon by any other third party.

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1 Introduction

1.1 The Planning Application

- 1.1.1 This Planning Statement has been prepared by Arcadis, on behalf of our client, Vale of Glamorgan County Borough Council (VoG) (the 'Client'), to accompany an application for planning consent under the Town and Country Planning Act 1990, as amended (the 1990 Act), for creating a new Active Travel Route (ATR), hereafter referred to as the 'Proposed Development' located between Sully and Cosmeston.
- 1.1.2 The planning application seeks permission for the following:
'The provision of a shared pedestrian and cycle route (Active Travel Route), earthworks, landscaping and associated works from Sully to Cosmeston'.
- 1.1.3 The application site is situated southeast of Sully, on South Road (B4267), and terminates at Cosmeston Drive, Penarth. The Proposed Development extends from an area adjoining Lavernock Road towards 'The Vineyards', crossing Lavernock Road and joining a disused railway. The route continues for about 2km before reaching Cosmeston Drive, where it will link up with an existing shared use route referred to as 'Railway Walk'. The application site measures approximately 1.33ha in total.
- 1.1.4 The remaining route, at both ends of Sully and Cosmeston, in Arcadis' opinion, is covered by Permitted Development Rights under the General Permitted Development Order 1995 (as amended) and the Highways Act 1980. This is owing to the fact that the works will consist mainly of road and path widening on adopted highway land, on behalf of VOG Highways Authority, where the authority benefits from Permitted Development Rights under the General Permitted Development Order (GPDO) 1995 Class A Part 13: Development by Local Highway Authorities. The total site area covered by Permitted Development Rights equates to 0.65ha.
- 1.1.5 The proposed site location and extent of works is depicted in the Figure 1.1 below, with the red area covering the planning application boundary and blue annotating the Permitted Development sections:

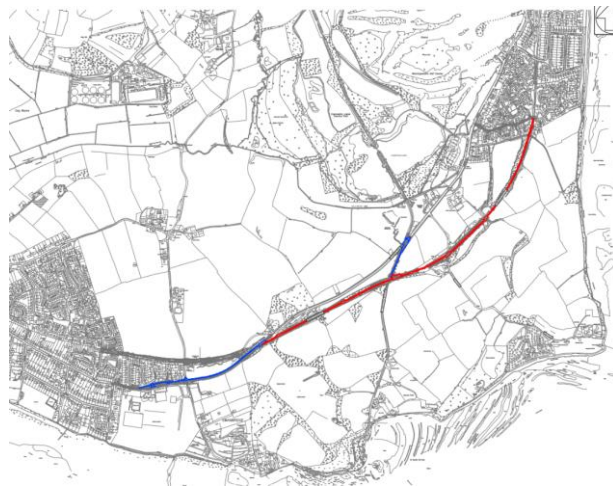


Figure 1.1 Site Location Plan and Route Alignment

- 1.1.6 The statutory requirement for a Design and Access Statement is duly noted and has been prepared as a separate report to accompany this planning application submission.
- 1.1.7 A Pre-Application Consultation (PAC) Report will be prepared in line with the provisions of the Town and Country Planning (Development Management Procedure) (Wales) (amendment) Order 2016 which will accompany this planning application submission when formally submitted to the Council. The mandatory PAC is being held between 21 October and 21 November 2024, and in line with the statutory provisions statutory consultees, the Community, Sully and Penarth Town Council and neighbours were invited to review the draft application submission and provide comments prior to the formal submission of the planning application.
- 1.1.8 This Planning Statement should be read in conjunction with the supporting reports and drawings accompanying the application comprising of:
- Planning Application Form;
 - Requisite planning application fee;
 - Suite of application plans and drawings;
 - Site Location Plan;
 - Existing Site Plan;
 - Proposed General Arrangement Plan 1 - 10;
 - Proposed Elevations and of the proposed ramp;
 - Cross Sections;
 - Design and Access Statement (DAS);
 - Arboriculture Impact Assessment (AIA);
 - Preliminary Ecological Appraisal (PEA);
 - Ecological Impact Assessment (EclA);
 - Ecology Surveys and Report;
 - Geo-environmental;
 - Landscape and Visual Impact Assessment (LVIA);
 - Pre-Application Consultation (PAC) Report (which will be submitted following the statutory PAC process);
 - Landscaping Plans;
 - Drainage Strategy;
 - Lighting Strategy/plans;
 - Green Infrastructure Statement.

1.2 The Applicant and Background Context

- 1.2.1 The need for the Proposed Development follows the introduction of the Active Travel (Wales) Act 2013 in September 2014, which requires all local authorities in Wales to map and plan for suitable routes for active travel within certain settlements with a population over 2,000 people.
- 1.2.2 VoG submitted their Integrated Network Maps (INM) in November 2017 which set out the Authority's aspirations for improving Active Travel Routes (ATRs) across the County over the next 15 years. This included routes that were currently used but may not have met the standard of ATRs or were routes that did not exist but were identified within other strategic plans or identified through the ATR consultation process.

- 1.2.3 Section 4 of the Act requires that the next edition of the INM should be submitted by local authorities three years following the previous edition, or no later than a date specified by the Welsh Ministers. In view of the Covid-19 pandemic, Ministers considered it appropriate to extend the submission of the next round of INMs and updated existing route maps to 31 December 2021. VoG Council held extensive consultation with the public throughout 2021, and the new Active Travel Network Map was approved by Welsh Government in August 2022. In November 2023, the Minister and Deputy Minister for Climate Change agreed to extend the next date for all local authorities to submit revised versions of their Active Travel Network Maps (ATNMs), to 1 December 2026.
- 1.2.4 To meet their statutory requirement, the Council identified Sully to Cosmeston as one of two parts for consultation as an ATR. Following this, VoG discussed with Arcadis on progressing with plans to provide a safer highway environment for pedestrian movements and provide opportunities for active travel, particularly for vulnerable road users and children of secondary school age along the route which meets the ATR standard. A further consultation was undertaken to configure the developed design for the preferred route, which this full planning application seeks consent for.

1.3 Pre-Application Engagement

- 1.3.1 A pre-application enquiry was submitted to VoG on 19 July 2024. A formal written response from the Council is yet to be received and likely to be submitted during the PAC process. This is owing to outstanding consultation responses being received from statutory consultees, during the formal pre-application discussions, albeit the Council has provided confirmation that the proposal is deemed acceptable in principle. The discussions confirm that the proposals align with the Council's adopted policy documents in principle, subject to the technical considerations being acceptable.

1.4 Screening Opinion

- 1.4.1 VoG confirmed, during the pre-application engagement that the Proposed Development was not an Environmental Impact Assessment (EIA) project under the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 and therefore, there was no requirement to submit a Screening Request.

1.5 Purpose and Structure of the Statement

- 1.5.1 The purpose of this Planning Statement is to describe the Proposed Development for which planning permission is sought and to outline how the proposals respond to and comply with, relevant national and local planning policy to be weighed by VoG Council, as the Local Planning Authority (LPA).
- 1.5.2 This Statement seeks to demonstrate that the Proposed Development is in accordance with the Development Plan, taking into account other relevant policies in order that the LPA is able to determine the development proposal without delay. It has also been prepared to provide information to assist VoG Council, as the determining body for the planning application and for consultees and other stakeholders to be informed about the Proposed Development.
- 1.5.3 The structure of the Planning Statement is as follows:
- **Chapter 2** provides a brief description of the application site and its surroundings and a description

of the development proposals before the local planning authority.

- **Chapter 3** sets out the local and national planning policy context of relevance to the proposal.
- **Chapter 4** appraises and considers the extent to which the Proposed Development complies with relevant policies at a national and local level.
- **Chapter 5** reaches conclusions on the overall compliance of the development proposals with planning policy in reaching a recommendation on the acceptance of the Proposed Development.

2 Site Context and Proposed Development

2.1 Introduction

- 2.1.1 This Chapter provides a description of the application site and its surroundings, the planning history, as well as the description of the Proposed Development and ATR works planned to take place between Sully to Cosmeston.

2.2 Development Site and its Surroundings

- 2.2.1 The Proposed Development site, the subject of this planning application encompasses an area of 1.33ha, as indicated in red on the proposed Site Layout Plan General Arrangement (Drawing. 10058585-ARC-XX-010-DR-C-00001 Overview and Sheets 1 to 9). The proposed development is located at approximate National Grid Reference (NGR) ST 17460 68498.
- 2.2.2 The Proposed Development links Sully to Cosmeston and commences southeast of Sully, on South Road (B4267), and roughly terminates at Cosmeston Drive, Penarth. The route follows a northeast alignment, beginning on a 0.76 km stretch of the current footway/cycleway on South Road, and then continues along the existing shared use route adjacent to Lavernock Road toward 'The Vineyards'. The proposals will upgrade the existing shared-use route to comply with the latest Active Travel (Wales) Guidance. Crossing Lavernock Road, the proposed route joins a disused railway track. The route continues for about 2km before reaching its endpoint at Cosmeston Drive, where it will link up with an existing shared use route referred to as 'Railway Walk'. This route proposes a new shared footway/cycleway construction using a permeable paving system. Along the disused railway, the proposed route will cross three existing bridge structures, one bisecting a field and the remaining two crossing over St Mary's Well Bay Road and Fort Road. The wider surroundings are generally characterised as agricultural land, with residential areas at retrospective ends of the route at Sully and Cosmeston.
- 2.2.3 In terms of environmental designations, the application site lies within a designated Mineral Safeguarding Limestone Area under Policy MG22 and a Green Wedge designation under Policy MG18(6) of the Vale of Glamorgan Local Development Plan (2011 - 2026) Adopted 2017. There are also a number of Tree Preservation Orders (TPOs) along the route. The site lies within Flood Zone A, defined as an area of low probability of flooding from rivers and the sea. A number of archaeological remains, as well as Cosmeston Lakes Site of Special Scientific Interest (SSSI) are sited to the north of the application site. Ty-r-Orsaf Site of Importance for Nature Conservation (SINC) is adjacent to the southwest of the site. There are no Public Rights of Way (PRoWs) affecting the application site, albeit the site is identified as a Walking and Cycling Priority Route under Policy MG16(01) of the Adopted Local Plan.

2.3 Planning History

- 2.3.1 There is extensive planning history linked to this Site ranging from 1974 to 2021. From reviewing the Vale of Glamorgan Council's available online public access records, the table below depicts the planning history associated with the Site.

Table 2.1: Planning History of Site

Planning Application	Address	Proposal	Decision
1974/00869/OUT	Land at Lower Penarth, (Former Cement Works Site) Now Lavernock Park	Outline Application for Residential Development	Approved
1976/00933/REG4	Os Parcel 2800 and Part OS Parcel 1400, Lavernock	Domestic Refuse Disposal,	Approved
1978/01385/OUT	Former Penarth Cement Works and part of OS Parcel 4649 (Now Lavernock Park),	Residential Development	Approved
1980/01247/RES	Lavernock Park, Lavernock Road, Penarth	Erection of Private Residential Units together with their garages, associated roads and sewers	Approved
1981/00618/OUT	Lavernock Park, Lavernock Road, Penarth	Renewal of outline planning permission for residential development	Approved
1981/02112/RES	Lavernock Park, Lavernock Road, Penarth	Erection of private residential units together with their garages, roads and associated sewers	Approved
1985/00809/FUL	'Baruch', Fort Road, Lavernock	Extension of domestic accommodation	Approved
1999/00442/FUL	Baruch, Fort Road, Lavernock	Extension to bungalow living accommodation and new garage/workshop	Approved
2013/00582/LAW	Disused railway line, Archer Place/Sully Terrace, Penarth	Resurfacing of sections of existing walking and cyclepath on the route of disused railway line and associated improvements	Approved

Planning Application	Address	Proposal	Decision
2018/01431/SC1	Land at Upper Cosmeston Farm, Lavernock	Request for screening opinion , Decision: Environmental Impact Assessment (Screening)	Required
2018/01432/SC2	Land at Upper Cosmeston Farm, Lavernock,	Request for scoping opinion	EIA (Scoping) - Further info required
2020/01170/OUT	Land at Upper Cosmeston Farm, Lavernock Road, Penarth	Outline application for residential development, a primary school, community space and public open space with all matters reserved other than access	Approve subject to Legal Agreement (outstanding)
2021/00828/FUL	Baruch, Fort Road, Lavernock	Proposal: Removal of existing pitched roof structure to allow new first floor flat roof extension, including minor internal and external works	Approved

2.4 Proposed Development

2.4.1 The Proposed Development, consisting of a shared footway and cycleway from Sully to Cosmeston, includes the following works:

- **Dedicated cycle lanes:** Separate lanes for cyclists to provide a safe space from cars.
- **Pathways:** Pedestrian and cycle path creation through widening of existing paths.
- **Pedestrian crossings:** Safe crossing points for pedestrians at key intersections and crossings along the route, as well as the provision of tactile.
- **Signage and markings:** Clear signage, road markings, and signals to guide cyclists and pedestrians along the route.
- **Lighting:** Adequate lighting along the route to improve visibility, especially during darker hours.
- **Accessibility:** Ensuring the route is accessible for users of all abilities, including those with disabilities.
- **Pedestrian ramp:** A new pedestrian 1:20 ramp with landings at St Marys Well Bay, to be installed at a shallow gradient for ease of movement. A new retaining wall is included to accommodate the ramp which will be DDA compliant.
- **Means of enclosure:** Across the length of the disused railway, the erection of a 1.2m high 3 timber post and rail Fencing, with 0.9m bollards at both ends of the disused railway.

- 2.4.2 In order to comply with the requirements of the Active Travel (Wales) Act 2021, the shared footway and cycleway proposes:
- A 4m wide footpath along the railway.
 - A minimum 3m wide shared footway/ cycleway width on primary routes (namely along the adopted highway), with a 0.5m verge width for routes with speed limits up to 40mph.
- 2.4.3 The requirement for an increased verge width up to 1.5m and shared footway/cycleway up to 3m wide requires the removal of existing trees and vegetation. It will also require potential land purchase, earthworks, along with the widening and altering of the existing highway embankment.
- 2.4.4 Crossing the disused railway, the proposal will require vegetation and habitat removal, requiring appropriate mitigation. Furthermore, the route will integrate with existing bridge structures with low level lighting for safety and security.
- 2.4.5 In terms of proposed landscaping, existing vegetation will be retained, where possible, aided through the use of no-dig construction techniques, utilising the existing compacted ballast from the historic railway embankment as a build-up for the pedestrian route, woodland and hedgerow planting adjacent to the ATR, with an access ramp from St Mary's Well Bay Road. Species proposed include a native mix of local provenance, including Oak, Field Maple, Silver Birch, Hawthorn and Hazel, with seeding of species-rich grassland to verges and areas of embankment to provide additional habitat for pollinators. The proposals also provide rain-gardens within areas of existing grass verges. All areas of hard landscape have been designed such that they are consistent with adjoining areas of existing highway infrastructure including tactile paving.
- 2.4.6 These infrastructure improvements will promote the proposed route as a sustainable mode of transportation, prioritise safety, and create a user-friendly environment that will encourage walking and cycling as a viable transport option between Sully and Cosmeston.

3 Planning Policy Framework

3.1 Introduction

- 3.1.1 This Chapter sets out the relevant planning policy framework for the Proposed Development. The purpose of the Chapter is to summarise key policies that are pertinent to the determination of the application. The assessment focuses on the compliance of the Proposed Development in relation to planning policy at a national and local level.
- 3.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 3.1.3 The Development Plan material to the proposed Development is provided by the VoG Local Development Plan (Adopted 2017). Other material planning policy considerations include national planning policy, in addition to VoGC's Supplementary Planning Guidance (SPG). The Council are currently undertaking a local development plan review and are preparing the 'Replacement Local Development Plan' (RLDP) to replace the current LDP. The Plan is currently at the Pre-Deposit Preparation and Participation stage and given its preparation, is not referred to further in the context of this application.
- 3.1.4 At a national level, Planning Policy Wales (PPW) 12th Edition (Welsh Government, February 2024) provides relevant planning guidance informed by the Well Being Future Generations Act 2015 (Welsh Government), together with the National Development Framework: Future Wales – The National Plan 2040 (Welsh Government, February 2021). The content of national guidance must be taken into account by local planning authorities when deciding planning applications.
- 3.1.5 The Active Travel (Wales) Act 2013 (Welsh Government), mandates local authorities to enhance infrastructure for pedestrians and cyclists, aiming to promote active travel as the preferred option for short journeys. The Act targets linking key locations with safe routes and cycle lanes to encourage walking and cycling, leading to health benefits, reduced emissions, poverty alleviation, and sustainable economic growth in Wales.
- 3.1.6 General Development Permitted Rights (GDPO) are also relevant to proposals of this nature as there are certain Permitted Development Rights to be enjoyed by the Highways Authority under Class A, Part 13 of the Town and Country Planning (General Permitted Development) Order 1995, as amended (the "Order") (GDPO). The same provisions are also available under the Highways Act 1980 (with the agreement of the Highways Authority) as a large section of the route is located on land within the highway limits.

3.2 National (Wales) Planning Policy

- 3.2.1 The planning system in Wales is a devolved responsibility of the Welsh Government. Local planning authorities are required to take decisions in accordance with their Development Plan unless material circumstances indicate otherwise. National planning policy is a key material consideration for local planning authorities.

National Development Framework: Future Wales – The National Plan 2040

3.2.2 The National Development Framework (NDF): Future Wales – The National Plan 2040 comprises the national land use plan covering the period 2020 to 2040 is required under the provisions of the Planning (Wales) Act 2015. The national spatial plan was formally adopted in February 2021. The plan outlines a strategy for addressing key national priorities using the planning system, including sustaining and developing a vibrant economy, reducing carbon emissions and climate change risk, and improving our communities' health and well-being.

The Well Being of Future Generations (Wales) Act 2015

3.2.3 The Well-being of Future Generations Act (Wales) 2015 places a duty on local planning authorities to take reasonable steps in exercising their functions in meeting sustainable development (or wellbeing) objectives. It was enacted to improve the social, economic, environmental, and cultural well-being of Wales. The Act sets out seven well-being goals to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Active Travel (Wales) Act 2013

3.2.4 The Active Travel (Wales) Act 2013 Act aims to make active travel the most attractive option for shorter journeys and to connect key sites such as workplaces, hospitals, schools and shopping areas with traffic free routes and cycle lanes. The Welsh Government seeks to enable more people to walk, cycle and generally travel by more active methods, so that:

- More people can experience the health benefits of active travel.
- Greenhouse gas emissions are reduced.
- Poverty is addressed and help is provided for the disadvantaged.
- The economy is grown by unlocking sustainable economic growth.

Planning Policy Wales Edition 12 (February 2024)

3.2.5 Planning Policy Wales (PPW) sets out the land use planning policies of the Welsh Government. It is supplemented by a series of Technical Advice Notes (TANs) and Welsh Government Circulars, which together with PPW provide the national planning policy framework for Wales. National guidance contained within (PPW) emphasises the need to encourage and prioritise the use of well-designed and safe active travel routes, using legal agreements where appropriate. The Active Travel Act (2013) emphasises the statutory responsibility the planning system has on supporting the delivery of Active Travel infrastructure and that the provision of ATRs align with the policy guidance set-out in PPW.

3.2.6 In respect to Accessibility, Paragraph 3.49 states that '*Spatial strategies should support the objectives of minimising the need to travel, reducing reliance on the private car and increasing walking, cycling and use of public transport*'.

3.2.7 In respect of infrastructure provision, Paragraph 3.61 identifies that '*adequate and efficient infrastructure, including services such as education and health facilities along with transport, water supply, sewers, sustainable waste management, electricity and gas (the utilities) and telecommunications, is crucial for economic, social and environmental sustainability. It underpins economic competitiveness and opportunities for households and businesses to achieve socially and environmentally desirable ways of living and working*'.

- 3.2.8 Furthermore, Paragraph 4.1.11 highlights the Welsh Government's aim to promote sustainable and environmentally conscious transport that is accessible *'by walking, cycling and public transport, by prioritising the provision of appropriate on-site infrastructure and, where necessary, mitigating transport impacts through the provision of off-site measures, such as the development of active travel routes, bus priority infrastructure and financial support for public transport services. Importantly, sustainable transport infrastructure and services should be prioritised and put in place from the outset, before people have moved in and travel patterns have been established'*.
- 3.2.9 To expand further upon requirements within The Active Travel (Wales) Act 2013, Paragraph 4.1.31 requires *'Planning authorities (to) support active travel by ensuring new development is fully accessible by walking and cycling. The aim should be to create walkable neighbourhoods, where a range of facilities are within walking distance of most residents, and the streets are safe, comfortable and enjoyable to walk and cycle'*. Furthermore, Paragraph 4.1.33 states that *'as part of the selection of future development sites, priority should be given to sites which can be readily connected to existing active travel routes or future networks'*.
- 3.2.10 Paragraph 4.1.33 highlights that *'Development plans must identify and safeguard active travel routes and networks, including those identified in the Integrated Network Maps required by the Active Travel Act, and support their delivery. As part of the selection of future development sites, priority should be given to sites which can be readily connected to existing active travel routes or future networks. New development should be integrated with active travel networks and contribute to their expansion and improvement, through the inclusion of well-designed routes and facilities as part of the schemes'*.
- 3.2.11 PPW continues by emphasising that *'In determining planning applications, planning authorities must ensure development proposals, through their design and supporting infrastructure, prioritise provision for access and movement by walking and cycling and, in doing so, maximise their contribution to the objectives of the Active Travel Act' (Paragraph 4.1.34)*.
- 3.2.12 With regard to Green Wedge designations, at Paragraph 3.68, PPW reinforces that *'Green wedges are local designations which essentially have the same purpose as Green Belts. They may be used to provide a buffer between the settlement edge and statutory designations and safeguard important views into and out of the area. Green wedges should be proposed and be subject to review as part of the LDP process'*.
- 3.2.13 Paragraph 3.69 emphasises that *'The general policies controlling development in the countryside apply in a Green Belt and a green wedge but there is, in addition, a general presumption against development which is inappropriate in relation to the purposes of the designation. Green Belts and green wedges can have other beneficial effects including the provision of access to the countryside and sport and recreation opportunities. However, the extent to which the use of land fulfils these objectives is not a material factor in determining whether land should be included within a Green Belt or green wedge'*.
- 3.2.14 Paragraph 3.77 recognises that there are *'Certain other forms of development may be appropriate in the Green Belt or green wedge provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*
- mineral extraction;*
 - renewable and low carbon energy generation;*
 - engineering operations; and*

• *local transport infrastructure*'.

3.2.15 The chapter concludes at Paragraph 3.78 that *'Other forms of development would be inappropriate development unless they maintain the openness of the Green Belt or green wedge and do not conflict with the purposes of the designation'*.

3.2.16 In addition to the above, The Environment (Wales) Act 2016, provides a context for the delivery of multi-functional green infrastructure, advising that its protection and provision can make a significant contribution to the sustainable management of natural resources, and in particular to protecting, maintaining and enhancing biodiversity and the resilience of ecosystems in terms of the diversity within and connections between ecosystems and the extent and condition of these ecosystems, so that they are better able to resist, recover from and adapt to pressures.

3.2.17 A Green Infrastructure Statement is required for all planning applications, proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. In the case of minor development this will be a short description and should not be an onerous requirement for applicants. The green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach has been applied.

The Vale of Glamorgan Local Development Plan 2011 – 2026 (June 2017)

3.2.18 The adopted LDP contains the following policy framework of relevance to this application:

Policy SP1 - Delivering the Strategy

'The strategy will seek to improve the living and working environment, promote enjoyment of the countryside and coast and manage important environmental assets. This will be achieved by:

- 1. Providing a range and choice of housing to meet the needs of all sectors of the community;*
- 2. Promoting a range of employment sites intended to meet the needs of the Vale of Glamorgan and the wider capital region;*
- 3. Reinforcing the role of Barry, service centre settlements and primary settlements as providers of cultural, commercial and community services;*
- 4. Promoting sustainable transport;*
- 5. Delivering key infrastructure linked to the impacts of development;*
- 6. Protecting and enhancing the built, natural and coastal environment;*
- 7 Promoting opportunities for sustainable tourism and recreation; and*
- 8. Favouring development that promotes healthy living'.*

Policy SP7 - Transportation

'Sustainable transport improvements that serve the economic, social and environmental needs of the Vale of Glamorgan and promote the objectives of the South East Wales Regional Transport Plan and the Local Transport Plan will be favoured. Key priorities for the delivery of strategic transportation infrastructure will be:

- A new Barry Island Link Road;*
- A new northern access road at St Athan enterprise zone;*
- Improvements to the A4226 between Waycock Cross, Barry and Sycamore Cross, A48 (Five Mile*

lane);

- Improvements to the B4265 at Gileston – Old Mill;
- Modernisation of the valley lines;
- The National Cycle Network route 88;
- Cycle routes at:
 - - A4050 Culverhouse to Cardiff airport;
 - - A48 Culverhouse Cross to Bridgend via Cowbridge; and
 - - Barry waterfront to Dinas Powys
 - Bus park and ride at Cosmeston, Penarth
 - Bus priority measures at:
 - - A4050 Culverhouse to Cardiff airport;
 - - A48 Culverhouse Cross to Bridgend via Cowbridge;
 - - Merrie Harrier Cardiff Road Barry to Cardiff via Barry Road;
 - - Leckwith Road, Llandough to Cardiff; and
 - - Lavernock Road to Cardiff via the Barrage

Priority will also be given to schemes that improve highway safety and accessibility, public transport, walking and cycling.

All new developments that have a direct impact on the strategic transportation infrastructure will be required to deliver appropriate improvements to the network'.

Policy MG16 – Transport Proposals

Walking and Cycling

- *National Cycle Network Route 88 and associated local urban and rural connections.*
- *A4050 Port Road to Cardiff Airport.*
- *A48 Culverhouse Cross to Bridgend.*
- *Eglwys Brewis Road in conjunction with the proposed Northern Access Road, St Athan Enterprise Zone.*
- *Barry waterfront to Dinas Powys.*

Highway Improvement Works

In addition, to mitigate the impact of development on the highway network, highway improvement works in the form of corridor or junction improvement schemes will be required'.

Policy MD1 Location of New Development

'New development on unallocated sites should:

- *Have no unacceptable impact on the countryside;*
- *Reinforce the role and function of the key settlement of Barry, the service centre settlements, primary settlements or minor rural settlements as key providers of commercial, community and healthcare facilities;*
- *Where appropriate promote new enterprises, tourism, leisure and community facilities in the Vale of Glamorgan;*
- *In the case of residential development, support the delivery of affordable housing in areas of identified need;*
- *Have access to or promote the use of sustainable modes of transport;*
- *Benefit from existing infrastructure provision or where necessary make provision for new infrastructure without any unacceptable effect on the natural or built environment;*

- *Where possible promote sustainable construction and make beneficial use of previously developed land and buildings;*
- *Provide a positive context for the management of the water environment by avoiding areas of flood risk in accordance with the sequential approach set out in national policy and safeguard water resources; and*
- *Have no unacceptable impact on the best and most versatile agricultural land’.*

Policy MD2 - Design of New Development

‘In order to create high quality, healthy, sustainable and locally distinct places development proposals should:

1. *Be of a high standard of design that positively contributes to the context and character of the surrounding natural and built environment and protects existing features of townscape or landscape interest;*
2. *Respond appropriately to the local context and character of neighbouring buildings and uses in terms of use, type, form, scale, mix, and density;*
3. *Where appropriate, provide new or enhanced areas of public realm particularly in key locations such as town centres, major routes and junctions;*
4. *Promote the creation of healthy and active environments and reduce the opportunity for crime and anti-social behaviour. In the case of retail centres, developments should provide active street frontages to create attractive and safe urban environments;*
5. *Provide a safe and accessible environment for all users, giving priority to pedestrians, cyclists and public transport users;*
6. *Have no unacceptable impact on highway safety nor cause or exacerbate existing traffic congestion to an unacceptable degree;*
7. *Where appropriate, conserve and enhance the quality of, and access to, existing open spaces and community facilities;*
8. *Safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance;*
9. *Provide public open space, private amenity space and car parking in accordance with the council’s standards;*
10. *Incorporate sensitive landscaping, including the retention and enhancement where appropriate of existing landscape features and biodiversity interests;*
11. *Provide adequate facilities and space for the collection, composting and recycling of waste materials and explore opportunities to incorporate re-used or recyclable materials or products into new buildings or structures; and*
12. *Mitigate the causes of climate change by minimising carbon and other greenhouse gas emissions associated with their design, construction, use and eventual demolition, and include features that provide effective adaptation to, and resilience against, the current and predicted future effects of climate change’.*

Policy MD7 – Environmental Protection

‘Development proposals will be required to demonstrate they will not result in an unacceptable impact on people, residential amenity, property and / or the natural environment from either:

1. *Pollution of land, surface water, ground water and the air;*
2. *Land contamination;*
3. *Hazardous substances;*

4. *Noise, vibration, odour nuisance and light pollution;*
5. *Flood risk and consequences;*
6. *Coastal erosion or land stability;*
7. *The loss of the best and most versatile agricultural land; or*
8. *Any other identified risk to public health and safety.*

Where impacts are identified the Council will require applicants to demonstrate that appropriate measures can be taken to minimise the impact identified to an acceptable level. Planning conditions may be imposed or legal obligation entered into, to secure any necessary mitigation and monitoring processes.

In respect of flood risk, new developments will be expected to avoid unnecessary flood risk and meet the requirements of TAN15. No highly vulnerable development will be permitted within Development Advice Map (DAM) zone C2. Development will only be permitted in areas at risk of flooding where it can be demonstrated that the site can comply with the justification and assessment requirements set out in TAN15.

Policy MD9 - Promoting Biodiversity

'New development proposals will be required to conserve and where appropriate enhance biodiversity interests unless it can be demonstrated that:

1. *The need for the development clearly outweighs the biodiversity value of the site; and*
2. *The impacts of the development can be satisfactorily mitigated and acceptably managed through appropriate future management regimes.'*

Policy MG18 – Green Wedges

'Green wedges have been identified to prevent the coalescence of settlements and to retain the openness of land at the following locations:

1. *Between Dinas Powys, Penarth and Llandough;*
2. *North West of Sully;*
3. *North of Wenvoe;*
4. *South of Bridgend;*
5. *Between Barry and Rhoose;*
6. *South Penarth to Sully; and*
7. *Between Rhoose and Aberthaw. Within these areas development which prejudices the open nature of the land will not be permitted.'*

Policy MG22 – Development in Mineral Safeguarding Areas

'Known mineral resources of sandstone, sand and gravel and limestone are safeguarded as shown on the proposals map. New development will only be permitted in an area of known mineral resource where it has first been demonstrated that:

1. *Any reserves of minerals can be economically extracted prior to the commencement of the development;*
2. *Or extraction would have an unacceptable impact on environmental or amenity considerations; or*
3. *The development would have no significant impact on the possible working of the resource by reason of its nature or size; or*
4. *The resource in question is of poor quality / quantity'.*

The Vale of Glamorgan adopted Supplementary Planning Documents

3.2.19 The VoG Supplementary Planning Guidance of relevance to the Proposed Development includes:-

- **Biodiversity and Development SPG (April 2018)** - The Biodiversity and Development SPG has been prepared to provide guidance on how biodiversity in the Vale of Glamorgan will be conserved and enhanced throughout the planning and development process. Where there is a reasonable likelihood for a development to impact on a wildlife feature, specific biodiversity surveys will need to be undertaken and provided in support of any planning application. The survey information provided should be necessary, relevant and if an ecological survey is required it will need to be undertaken and incorporated into the early stages of the project proportionate to the development and sufficient to enable the determination of the application;
- **Minerals Safeguarding (2018)** - The Minerals Safeguarding SPG has been prepared to assist with the consideration of planning applications within Minerals Safeguarding Areas (MSAs) for hard rock, and sand and gravel within the Vale of Glamorgan. As minerals can only be worked where they are found, it is important that mineral resources are 'safeguarded' from sterilisation by other development to help to secure a long-term future supply of minerals. The role of Minerals Safeguarding Areas is to alert those proposing sites for future development to the presence of valuable mineral resources which they might not have otherwise considered;
- **Trees, Woodlands, Hedgerows and Development SPG (July 2018)** - The Trees, Woodlands, Hedgerows and Development SPG has been prepared to provide guidance to homeowners, landowners, contractors, developers and other interested parties involved in the planning process on how to fully consider trees and hedgerows as part of new development.

3.3 General Permitted Development Order

3.3.1 The following sections of the General Permitted Development Order (GPDO) 1995 (as amended) and Highways Act 2008 are relevant to the scheme proposals. GPDO Class A Part 13: Development By Local Highway Authorities.

Highways Act 1980: Section 72

3.3.2 Section 72 grants the Highway Authority powers to widen any highway for which they are the Highway Authority and may for that purpose agree with a person having power in that behalf for the dedication of adjoining land as part of a highway.

3.3.3 The section further grants Council's alike power for the creation of a new footpath or the widening of an existing footpath under Section 26. References to the creation of footpaths in those sections should be interpreted accordingly.

Highways Act 1980: Section 75

3.3.4 Section 75 grants the Highway Authority the ability to vary the relative widths of carriageways and of any footway.

3.3.5 It is considered that under the provisions of Class A, Part 13 the proposed route from South Road to the abandoned railway and then from the end of the railway line, to Cosmeston drive, (in the accompanying drawings Ref.10058585-ARC-XX-010-DR-C-00011-P01,10058585-ARC-XX-010-DR-C-00012-P01and 10058585-ARC-XX-010-DR-C-00013-P01 (Sheets 7 – 9)) can be undertaken via Permitted Development Rights owing to the works being carried out by the VOG, within the confines of the adopted highway limits. It is important to note that the VOG has the option of doing these works under the relevant section of the Highways Act in tandem.

4 Planning Assessment

- 4.1.1 This Chapter appraises the proposed development having regard to the relevant adopted LDP policies as well other material considerations, including national planning policy contained within PPW.
- 4.1.2 The main issues against which the Proposed Development has been assessed are considered under the individual topic headings below:

4.2 Principle of Development

- 4.2.1 The Proposed Development provides a pathway designed for sustainable transport based on walking and cycling. These routes are provided to encourage physical activity, reduce car dependency, and promote a healthier lifestyle, all of which supports sustainable and healthy modes of transportation. Policy SP1 of the Adopted LDP seeks to concentrate the majority of growth in the Key Service Centre and Primary Settlements in order to maximise the opportunities for sustainable regeneration, thereby favouring new local service provision and by encouraging the use of sustainable travel modes.
- 4.2.2 Policies SP7 and MG16(01) of the Adopted LDP highlights the importance of Priority Walking and Cycle Routes. The policies discuss the use of sustainable transport improvements and that priority will also be given to schemes that improve highway safety and accessibility, public transport, walking and cycling. The site is identified in the Adopted LDP as a National Cycle Network Route in the adopted LDP. It has also been recognised by the Welsh Government and VoG as an optimal route to create a safer environment for pedestrians along the highway and to promote active travel, especially for vulnerable road users and secondary school-aged children. The funding for this project has been obtained from the Welsh Government Core Active Travel fund.
- 4.2.3 National guidance contained within PPW also emphasises the need to encourage and prioritise the use of well-designed and safe active travel routes, using legal agreements where appropriate. The Active Travel Act (2013) emphasises the statutory responsibility the planning system has on supporting the delivery of Active Travel infrastructure and it is considered that the provision of the proposed ATR route aligns with the policy guidance set-out in LDP and PPW and is considered acceptable in principle.
- 4.2.4 A section of the proposed route is covered by Policy MG18(6) Green Wedges 'South Penarth to Sully'. The policy states that within these areas, development which prejudices the open nature of the land will not be permitted and that Green Wedges have been identified to prevent the coalescence of settlements and to retain the openness of land. These sentiments are also recognised by national policy contained within PPW.
- 4.2.5 Addressing each point in turn, given the linear nature of works as a footway/cycleway running close to existing highway limits along this section of the route, the proposal will not lead to the coalescence of settlements through the rounding off of development. Moreover, the proposed route alignment in this area is allocated as a Priority Walking and Cycling Route under Policy MG16(01) of the Adopted Plan.
- 4.2.6 National guidance recognises that certain forms of development may be appropriate within green wedge designations, including '*local transport infrastructure provision*', subject to detailed considerations. In terms of openness, the proposal has been designed to blend seamlessly along the existing disused railway line, with no other above ground works that would impact on the open nature of the surrounding

landscape.

- 4.2.7 Despite the route being located within the Green Wedge designation, owing to the type of development proposed and being located along a disused railway line, in line with the recognition in the local plan as a designated route, it is considered the 'openness' of the land is still retained, along with providing a means of sustainable travel, which PPW accepts in such designations. As a result, the proposal is deemed acceptable in principle and complies with local planning policies SP1, SP7, MG16 and MG18, as well national planning policies.
- 4.2.8 Issues relating to the impacts of the Proposed Development in terms of landscape, accessibility, biodiversity, local amenity, best most versatile land, minerals and flood risk matters are considered against other plan policies below.

4.3 Biodiversity

- 4.3.1 Local Plan Policy MD9 states that new development proposals are required to conserve and where appropriate enhance biodiversity interests unless certain criteria are met. Section 6.4 of PPW advises that all development must deliver a net benefit for biodiversity and ecosystem resilience from the baseline state. PPW goes on to say that all reasonable steps should be taken to maintain and enhance biodiversity and promote the resilience of ecosystems, however these should be balanced with the wider economic and social needs of business and local communities.
- 4.3.2 An Ecological Impact Assessment (EclA) has been prepared to accompany the application submission, in tandem with a number of surveys and assessments to evaluate the potential impacts of the proposed development on the surrounding environment from an ecological perspective. The additional ecological surveys include a Preliminary Ecological Appraisal (PEA), Badger Survey Report, Hazel Dormouse Survey, and Bat Roost Assessment which also accompany the planning application submission.
- 4.3.3 In 2022, an initial Phase 1 Habitat Survey was conducted to evaluate and map the habitats within the designated area (indicated by the red line boundary). This assessment also included an evaluation of the habitat's condition to support protected or notable species. In 2023, additional survey work was carried out for badgers, bats, and hazel dormice during the appropriate survey periods to capture essential baseline data for an impact assessment following Chartered Institute of Ecology and Environmental Management (CIEEM) guidelines for an EclA. The PEA recommended a phased clearance of long grassland (as per reptiles/amphibians) to encourage all small mammals such as harvest mouse to leave the area before construction commences. A walkover survey conducted in July 2024 confirmed that there were no significant changes on-site that could impact the validity of the survey results.
- 4.3.4 The July 2024 walkover survey work identified the potential for loss of habitat of principal importance (woodland), potential for damage to habitat of principal importance, and potential for harm to reptiles, amphibians, birds, bats, badger, dormouse, and hedgehog due to construction of the proposed development. The EclA found that the following ecological features require further consideration in view of their potential for significant effects from construction and/or operation. The following proposed mitigation is identified:
- **Non-Statutory Designated Sites:** The Ty-r-Orsaf SINC adjacent to the site could be impacted, leading to fencing off the site boundary and erecting signs to prevent contractor access.

- **Habitats of Principal Importance:** The development will result in the loss of trees in the semi-natural broadleaved woodland.
- **Hazel Dormouse:** Although dormouse presence on-site was not confirmed, precautions will be taken during vegetation clearance due to known dormouse proximity.
- **Reptiles, Amphibians, and Hedgehogs:** The site hosts species like reptiles, common amphibians, and hedgehogs, necessitating sensitivity during vegetation clearance to avoid harm.
- **Birds:** Nesting birds in the woodland will be protected by scheduling works outside nesting season or implementing buffers if clearance during nesting is unavoidable.
- **Bats:** Measures such as installing bat boxes and sensitive lighting aim to mitigate potential negative impacts on roosting bats due to habitat loss and increased lighting.
- **Badgers:** Precautions include preconstruction checks for active sett identification, restrictions on construction timing, secure storage of materials overnight, and mitigation for potential badger encounters during construction.

4.3.5 The above mitigation measures have been proposed to address the potential impacts on these ecological features, aiming to minimise disturbances and ensure the protection and conservation of wildlife during and after the development process. In addition, the proposed landscape planting (rain gardens, shaded species-rich grassland, species-rich grassland and hedgerow) will reinforce habitat connectivity and provide additional foraging habitat for birds, bats, badger, dormouse hedgehog, reptiles and common amphibians. It is considered that, in combination with the benefits to air quality and climate change from providing improved non-car transport options that there will be an overall net benefit for biodiversity once the landscaping is fully established.

4.3.6 Policy MD9 requires new development proposals to conserve and where appropriate enhance biodiversity interests unless it can be demonstrated that the impacts of the development can be satisfactorily mitigated and acceptably managed through appropriate future management regimes. The Proposed Development provides mitigation for both conserving and enhancing the biodiversity interests at the site, in compliance with the policy requirement.

4.3.7 Therefore, subject to the implementation of the mitigation measures out above, no significant effects on ecology and biodiversity are anticipated for the construction and operational phases of the Proposed Development.

4.3.8 As there are no nationally or locally designated sites of nature conservation importance affecting the application site, the proposal is considered to comply with Policies MD1 and MD7 of the Adopted LDP.

4.4 Green Infrastructure

4.4.1 In line with recent policy changes to Chapter 6 of PPW, the planning application submission has been supported by a Green Infrastructure Statement.

4.4.2 The Proposed Development has been designed in line with this guidance, identifying important local character features as a starting point for the Green Infrastructure elements and incorporating these into the Proposed Development. Accordingly, the scheme design proposes to maintain the largest possible area of existing habitat paying due regard to the potential for continued long term maintenance and management of retained areas to benefit biodiversity. The proposals ensure that retained habitats continue to be well connected to adjacent habitats to provide connectivity for key species and ensuring that the favourable conservation status of local species populations is maintained.

4.4.3 Given the importance and influence of local landscape character and existing Green Infrastructure assets, careful planning and design has informed an appropriate level of Green Infrastructure which embeds the benefits of biodiversity. The proposal includes enhancing existing habitats via the following means:

- Ensuring that wildlife corridors are maintained and created and that any new planting is designed to be beneficial to wildlife;
- Incorporation of a sensitive lighting strategy to be considered in the design;
- Tree replacement and new tree planting, where feasible;
- Installation of invertebrate hotels, bird and bat boxes in trees to provide additional refuge sites for these species groups;
- The creation of habitat piles to provide refuge for reptiles, amphibians and hedgehogs.

4.4.4 These key ecological and landscape enhancement features for bats, dormice, nesting birds, hedgehogs, reptiles and amphibians, and vegetation will reinforce habitat connectivity.

4.4.5 In line with national guidance, the proposal has followed the stepwise approach in its mitigation and management of enhancing biodiversity. The scale of the Proposed Development has been limited to that which is functionally necessary for the proposed works. Due to the distance away from the application site, there are not considered to be any adverse effects on the character and setting of nearby SSSIs or Comeston Lakes Country Park some 175m from the site. The landscape proposals will reinforce locally distinctive habitats and species through the inclusion of:

- Proposed hedgerow including *Acer campestre* (Field Maple), *Prunus spinosa* (Blackthorn) and *Crataegus monogyna* (Hawthorn);
- Proposed woodland trees including native species comprising *Quercus robur* (English Oak), *Corylus avellana* (Hazel), *Salix caprea* (Goat Willow); and
- Specimen trees including *Acer campestre* (Field Maple), *Betula pendula* (Silver Birch) and *Prunus padus* (Bird Cherry).

4.4.6 Given the importance of the local landscape character and existing Green Infrastructure assets, careful planning and design has informed an appropriate level of Green Infrastructure, described above. This reinforces both the aesthetic and functional aspects of the surrounding landscape but also contribute significantly to the preservation and restoration of the natural ecosystems. By incorporating these key design principles, a balanced coexistence between the Proposed Development and the environment aspects of the site is achieved. As such, the proposal accords with Policies SP1, MD1, MG17 of the adopted LDP, as well as the updated PPW.

4.5 Trees and Landscaping

4.5.1 The application is supported by a Landscape and Visual Impact Assessment (LVIA) and landscaping strategy. In addition to the above, an Arboricultural Report covering a Tree Survey, an Arboricultural Impact Assessment (AIA) and Method Statement has been prepared in support of the application, which has informed the proposed site layout, design and landscape scheme.

4.5.2 The Tree Survey has identified those trees that are to be removed as part of the proposals. Of those trees being removed, the majority are Category C (low quality) or below. The majority of trees required for removal have been identified owing to ash dieback or are required for removal to facilitate the Proposed Development. The survey confirms that the Proposed development offers the possibility to

mitigate the adverse effects of ash dieback through the removal of infected trees and the establishment of new trees in the form of replacement planting.

- 4.5.3 The AIA concludes that the proposed development may have a slight adverse effect on the overall arboricultural baseline due to the need to remove some trees for construction. However, efforts will be made to mitigate these effects during detailed design and contractor engagement. Tree removals will be offset by planting new trees, resulting in a transitional period with an overall neutral effect once new planting is established. The removal of diseased ash trees presents an opportunity for arboricultural benefits. During construction, adverse effects will be minimised through tree protection measures. Changes in land use may lead to stricter safety requirements for trees not within the public realm, possibly requiring safety-related pruning or felling, but with a likely negligible impact on the arboricultural resource.
- 4.5.4 The proposed landscaping planting strategy proposes a number of woodland planting (including *Prunus spinosa*, *Quercus palustris*, *Acer campestre*, *Crataegus laevigata*) around the perimeter of the site as well as along the proposed route, together with a native hedge mix. Further enhancement planting is provided by means of native planting of the development site by means of screening the proposals and also providing landscaping compensation.
- 4.5.5 The accompanying LVIA assesses how a Proposed Development would affect the landscape, visual character, and views of an area. The location of the ATR was predetermined as identified in the adopted Local Plan as a Priority Walking and Cycle Route, however it has been carefully designed in terms of minimising potential landscape and visual effects. The utilisation of existing routes and the retention of existing vegetation wherever possible are key factors that have been incorporated into the design. Across the Proposed Development, efforts have been made to retain existing landscape features and vegetation, with only minor alterations made for access. The visual assessment shows that most of the project will be shielded, with planting proposed where visibility might be an issue. In urban areas, visual effects are mostly limited to the construction phase, which is typically expected given the nature of the proposals. Views along the historic railway embankment will be obscured by existing woodland, with mitigation planting to minimise any harmful visual impact. The Assessment concludes that the project will not have any significant long-term negative landscape or visual effects.
- 4.5.6 Whilst it is accepted that the proposal will be visible from wider viewpoints, the existing vegetation and proposed planting would serve to strengthen existing landscape characteristics, limit visibility of the Proposed Development, and integrate the proposals with the surrounding landscape and views. As such, the proposal accords with Policies SP1, MD1, MG87 and the guidance set out in the Council's adopted Trees, Woodlands, Hedgerows and Development SPG (July 2018).

4.6 Flood Risk and Drainage

- 4.6.1 The site is located within Development Advice Map Flood Zone A (i.e. low probability of flooding from rivers and the sea). Given the location of the application site, a Flood Risk Assessment is not required as the proposals are located in an area with the lowest probability of flooding.
- 4.6.2 A Surface Water Drainage Strategy has been prepared and submitted as part of the application submission. This demonstrates how surface water runoff from the Proposed Development would be managed sustainably, ensuring that flood risk is not increased on or off-site through an increase in surface water runoff.

- 4.6.3 The Strategy confirms that the ATR along Lavernock Road plans would utilise the current highway drainage system, consisting of a traditional gully and chamber sewer setup, to handle runoff from the footway/cycleway. The disused railway section will utilise permeable paving to manage runoff and maintain the original railway drainage. This method will prevent any rise in runoff from the proposals. Furthermore, the design will stay within the current catchment areas, avoiding any expansion that could lead to increased surface water runoff.
- 4.6.4 In conclusion, it is therefore considered that the Proposed Development site is acceptable in terms of flood risk and from a drainage perspective in compliance with LDP Policy MD7.

4.7 Accessibility and Highway Safety

- 4.7.1 Policy SP7 highlights that sustainable transport improvements that serve the economic, social and environmental needs of the Vale of Glamorgan will be favoured. The Proposed Development, constituting an ATR, seeks to advance the promotion of more sustainable means of travel within the local area, as identified by local planning policy. By providing a dedicated cycle and pedestrian route, this will encourage a shift away from car dependency towards more environmentally friendly modes of travel and the creation of healthy and active environments that will be accessible and safe. The implementation of this project demonstrates a commitment to sustainable travel and a forward-thinking approach to addressing the challenges of modern transportation through promoting sustainable transport.
- 4.7.2 In seeking to improve safety and accessibility for those using the new ATR, the Proposed Development is considered to comply with the requirements of Policies SP7 and MG16 of the adopted VoG LDP and PPW guidance.

4.8 Minerals Safeguarding

- 4.8.1 The site falls within the designated Minerals Safeguarding 1 Limestone Area. Criterion 3 of LDP Policy MG22 states that new development will only be permitted in an area of known mineral resource where (amongst others) it has first been demonstrated that the development would have no significant impact on the possible working of the resource by reason of its nature or size. However, given the nature of the proposed works on existing highway land, as well as a disused railway line this will not alter the current planning position in respect of any future mineral working within this area. The proposals therefore are considered to have no significant impact on the possible working resource and therefore meets the requirements of Policy MG22 of the adopted LDP.

4.9 Agricultural Land Classification

- 4.9.1 Paragraphs 3.58 and 3.59 of PPW set-out the overarching national policy position with regards to the preservation of the finest and most adaptable agricultural land in Wales, commonly referred to as Best and Most Versatile (BMV) agricultural land. In line with this guidance, Policy MD 7 Criterion 7 of the adopted LDP highlights that development proposals must demonstrate they will not result in an unacceptable impact upon BMV.
- 4.9.2 Grades 1 to 3a are defined as BMV 'agricultural land. The Predictive Agricultural Land Classification (ALC) Map indicates that the permanent land take of the extended site area is Grade 3b (moderate

quality) and 4 (poor quality) agricultural land. Grade 3a (good to moderate quality) land is found within the surrounding area, but not within the red line boundary, which is expected as the site is a disused railway line. Given that the majority of the permanent land take is sited on Grades 3b and 4, the Proposed Development is therefore considered to meet the requirements set by Criterion 9 of Policy MD1 and Criterion 7 of MD7 of the adopted LDP and guidance contained within PPW as having no unacceptable impact on the best and most versatile agricultural land.

4.10 Other Consents

- 4.10.1 It is understood that the Drainage Strategy is currently being developed in consultation with the VoGCs SAB Department, whereby a separate application will be submitted to formally obtain SAB Approval by VoGCs drainage department.

5 Conclusions

- 5.1.1 Section 38(6) of the Planning and Compulsory Act 2004 requires that an application for planning permission should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 5.1.2 Chapter 3 of this Planning Statement has identified the relevant policies from the statutory Development Plan, which comprises the VoG Council LDP, as well as the provisions contained within national guidance of relevance to the proposal. The development of the proposed ATR is actively promoted within the Plan to provide sustainable means of travel by its designation, and by national planning policy which encourages the use of existing and potential sites for improvements to walking and cycling networks.
- 5.1.3 The location of the proposed ATR is supported in principle by local and national policy and is therefore considered an acceptable form of development that raises no principal land use concerns.
- 5.1.4 The various technical assessments undertaken to support the application submission cover a range of key environmental issues. Those of relevance to the Proposed Development have been considered and raise no impacts in terms of landscape, accessibility, biodiversity, the best most versatile land, minerals or flood risk matters. Moreover, mitigation measures proposed are in accordance with the policy requirements, particularly in the enhancement of nature conservation interests and landscape proposals within the application site.
- 5.1.5 Having regard to the details submitted with this application submission, the Proposed Development is considered acceptable in planning terms and should be determined favourably in accordance with the adopted VoG LDP, as well as provisions contained within national guidance. The planning application and proposals contained herein should therefore be granted permission without delay.

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