

Matter which the Chair has decided is urgent by reason of the need to allow Cabinet to consider the recommendation of the Scrutiny Committee prior to the matter going before Full Council on 20th November, 2023

Agenda Item No. 16 (i)

THE VALE OF GLAMORGAN COUNCIL

CABINET: 16TH NOVEMBER, 2023

REFERENCE FROM ENVIRONMENT AND REGENERATION SCRUTINY
COMMITTEE: 14TH NOVEMBER, 2023

“ VALE OF GLAMORGAN REPLACEMENT LOCAL DEVELOPMENT PLAN
2021-2036 REVISED DELIVERY AGREEMENT AND DRAFT PREFERRED
STRATEGY (REF) –

The reference from Cabinet on 2nd November, 2023 was presented by the Head of Sustainable Development.

The report had been prepared to allow for consideration of the revised Replacement Local Development Plan (RLDP) Delivery Agreement for submission to the Welsh Government in accordance with the Town and Country (Local Development Plan) (Wales) Regulations 2005.

The report also included the RLDP Draft Preferred Strategy, which was also for the Committee's consideration, with any formal recommendations to be referred back to Cabinet.

The Revised Delivery Agreement was attached at Appendix 1 to the Cabinet report with a schedule of proposed changes from the May 2022 version set out in Appendix 2 to the report. The Draft Preferred Strategy was attached at Appendix 3 and a list of stakeholder engagement that had informed the preparation of the Draft Preferred Strategy was set out in Appendix 4.

Prior to introducing the report, the Head of Sustainable Development, declared a personal interest as his children attended the same school as the public speaker.

The Chair advised that consideration would be given to the Revised Delivery Agreement first, before moving onto the Draft Preferred Strategy. The Chair also referred to two documents sent to the Committee Members for their consideration by Councillor I. Perry. These had been attached to the agenda papers as supplementary information.

Regarding the Delivery Agreement, Councillor V. Driscoll commented that the last LDP took somewhere in the region of 6 years to complete, but the Council was being asked to draft a new Plan in 6 months. In reply, the Head of Sustainable

Development clarified that the Council did not have to produce a full plan in 6 months as there was still 3 years by which time a plan had to be adopted.

Councillor A.E. Ernest stated that it seemed that the list of bodies to consult appeared outdated, and there some new recent groups that could make a useful contribution.

Councillor C. Franks, not a member of the Committee but with permission to speak, referred to consultation taking place over the Christmas period, and he queried whether that could be changed. The comment from Councillor Franks, was echoed by Councillor I. Perry and he stated that he would like to see more time allowed.

Councillor C. Champion was also in agreement for the consultation to be extended to 10 weeks, and he also asked for the consultation start and end dates to be added.

Debate then moved onto the Preferred Strategy, and the Chair welcomed a Mrs Alexandra Jenkins, registered public speaker, and advised that she would have 3 minutes in which to address the Committee. A summary of the key points raised by the public speaker was as follows:

- Mrs. Jenkins was speaking on behalf of residents of Argae Lane and the Westra.
- There were concerns regarding the infrastructure and whether the proposals could cope with the additional thousands of cars commuting to the motorway or Cardiff when the current route passed three schools.
- At present the roads around Argae Lane and the Westra could not cope with the current levels of traffic and the road could not be widened due to residential properties backing onto the lane.
- What traffic surveys and air quality surveys had been considered and would consideration be given around the access only and foot and bridle path in the area which needed to be in line with the Active Travel Policy of 2013.
- The Plan referred to a 20 minute walking distance to Cadoxton. That appeared misleading as did reference to bus and trains links. There was no access to mainstream gas and there were concerns regarding sewerage with Welsh Water outlining the lack of power flush due to water quality control.
- The area was a known flood plain and it would be a considerable effort to make the land safe in order to build, and this would increase the risk of flooding due to the natural water table levels.
- What consideration and additional provisions would be put in place to ensure that the flood risks were mitigated.
- The Plan referred to 1,500 homes but where were the jobs coming from to support that and where would the services in terms of health, dentist etc. come from.
- Five years ago a traffic survey in the area had indicated that traffic levels were already at 120% capacity and what consideration had been given to meet the extra demand particularly during rush hour traffic.
- What consideration had been made to the land owners whose land formed part of the site needed and would there be a risk of Compulsory Purchase Orders due to the mixed use of the land at the Barry site.

- Why had the Council chosen to go against the last LDP boundary settlement.
- It could be argued that there was a concern with the merge of the boundary line between Barry, St. Andrews and Dinas Powys which would result in the loss of green spaces. The site labelled North East Barry was clearly the merging of St. Andrews and Dinas Powys and so there was a question as to whether all other key sites had been exhausted as outlined in the previous LDP. If not, why not were these sites being developed first.
- Had equestrian bodies been considered as these were statutory consultation bodies in an LDP given the use of the land by the equestrian community.

The Chair asked Members of the Committee whether there were any points of clarification.

Councillor Hooper asked the public speaker to confirm how long it took for them to walk to Cadoxton train station. In reply, Mrs. Jenkins stated that from her house it took about 38 minutes bearing in mind that they were at the bottom end of the site. Due to the size, it would take at least 20 minutes to walk to the train station. In her opinion, it would therefore take probably 45 to 50 minutes to walk to the station.

The Committee then welcomed non-Committee Members who wished to speak on the matter.

Councillor Campbell, as local Ward Member for Rhoose, raised the following points:

- The draft Preferred Strategy was required to be based on sustainable growth.
- The Council's Sustainable Growth Strategy was made up of six key elements, the first being to deliver a sustainable level of housing and employment growth which was supported by appropriate infrastructure. Councillor Campbell stated that the same was for all proposed sites in the draft Preferred Strategy with the need for greater focus on the infrastructure, but particularly in relation to extra medical facilities and schooling with the land north east of Barry being the only site that offered additional school buildings. The site in Rhoose had only one building for both doctors' practices which made access difficult with other practice locations spread across multiple sites across Rhoose, St. Athan, Llantwit Major and Barry. Therefore, transport was required to get to the doctors' surgeries and no provision was made for its expansion.
- There was limited public transport available to these sites in the remote rural areas and between the major towns with limited access to facilities services particularly for disadvantaged groups.
- In addition, no research had been conducted in relation to the current doctors' practices and the need to improve provision and this was counter-productive to the Wales Transport Strategy 2021 which stated the need to bring services to people to reduce the need to travel.
- The second key element was aligning locations for new housing, employment services and facilities again in order to reduce the need for travel. It was therefore counter-productive to create a settlement so large in one place and which meant that people could not access facilities which needed to be built.

- Proposals for St. Athan were heavily weighted on the Model Farm Planning Development and the Enterprise Zone expansion. The details around this and the proposed Model Farm development did not mention that the Planning Committee had decided not to approve the application, and the Planning Application for Bro Tathan had been mostly empty for years. Therefore, Councillor Campbell queried the incentive for businesses to take up residency on the site.
- The Vale of Glamorgan Local Transport Policy 2015-2030 sought ways to better secure conditions for pedestrians, cyclists and public transport users to encourage active travel, but these improvements were mostly paid for by Section 106 contributions and some had been completed to a somewhat poor standard. In addition, some current Active Travel works had been delayed by 6 to 8 weeks with no communication with Ward Members or residents.
- Councillor Campbell also outlined that last year the Council had changed its Constitution in order to allow enforcement of pavement car parking, but new cycle paths had just become extra parking for cars and had become restricted as walkways and cycle paths. There was very little enforcement to date.
- Councillor Campbell stated that there was focus on the development in locations that were already well served by existing or proposed rail stations as part of the South Wales Metro, but there was no mention of bus services.
- It was also noted that two key development sites did not currently have a train station, and Councillor Campbell queried whether there had been any further discussion around the feasibility study for the creation of sustainable transport links around St. Athan.

Councillor Campbell concluded by stating that there needed to be more research into bus services particularly in the Rhose area and the Plan required more reference to the protection of green spaces, and it was her opinion, that the Preferred Strategy required amendment before going out for public consultation.

The Chair then welcomed Councillor Franks, local Ward Member for Dinas Powys to address the Committee.

Councillor Franks stated that it was misleading to brand the north east Barry site as a part of Barry as he considered it to be aligned to Dinas Powys. That new site would consume the land between Barry and Dinas Powys and Llandough. Councillor Franks stated that there was no natural boundary that prevented a further 1,000 houses being built and the same was true for the north of Dinas Powys. Councillor Franks concurred with the points raised by the public speaker which all needed to be answered before the matter was progressed. Councillor Franks queried how close was Cadoxton train station as the report referred to 15 minutes, but the public speaker stated that it took more like 30 to 35 minutes to walk from her property. Councillor Franks also referred to the lack of medical facilities and the issue of surgeries in Penarth being closed. He added that the north east Barry site was basically car focused and there was little regard to Active Travel developments. The A4055 was extremely busy and the new site, with the extra houses would increase traffic on that road. Councillor Franks therefore questioned the evidence base for the site, and he asked for that to be questioned.

The Chair asked the Head of Sustainable Development to come back on some of the points raised.

The officer stated that in relation to the framing of the north east Barry site it was physically closer to Barry, and if approved, it would be functionally and physically closer to Barry. In terms of the distance to Cadoxton train station, the maps had been provided by Transport for Wales with one map indicating that it was a 15 minute cycle journey, with the southern part of the site within 20 minutes' walk for pedestrians. It was important to recognise that parts of Argae Lane were closer, so it would depend on where the journey started. The officer stated that there was a large proportion of the site that was closer to Cadoxton, and these had been evidenced in the maps provided by Transport for Wales. The Head of Sustainable Development stated that the public speaker had referred to the level of detail but that was unavoidable at this point in the process because the evidence gathering would now be required. A lot of the traffic and transport modelling would happen prior to the Deposit Plan being devised. It was important to recognise that the more evidence that was collated the more confident the Council could be around the impacts of the sites and how the impacts could be mitigated. Therefore, infrastructure and the issues around accessibility and highways were points that would be picked up as the Plan progressed. The Head of Sustainable Development also clarified that the development area of the north east Barry site was not on a flood area although parts of the site were, but these had been earmarked as green spaces. It was also important to recognise that as part of the Planning Application process developers would have to evidence how drainage and surface water impacts would be mitigated and whether any special schemes would be required. In terms of doctors' surgeries, the officer stated that the Council was in discussions with the Health Board, and as the Strategy progressed further discussion and evidence from the Health Board about the availability of services would be required. Health care was not something that the Council was principally responsible for and there was a system of funding and finance that was fairly complex. The officer reiterated that anything in relation to the Planning process was a balancing act which would consider health care and health demands and the existence of current facilities with the balance being the need to meet affordable housing requirements and the level of infrastructure, open spaces and education.

In terms of growth and future employment and the St. Athan site, there were opportunities for growth on a regional basis and these included the airport and the Enterprise Zone. There was also the site at Aberthaw, which would become a high-tech green industry hub and so it was important for the Council to be proactive and positive in its strategy as the Council needed to demonstrate to Welsh Government how it would attract growth.

The Chair then welcomed comments from Committee Members.

Councillor Iannucci referred to the north east Barry site and comments regarding 15 minute cycle journey or 20 minutes by foot. Councillor Iannucci stated that it would be better if the same measurement could be used whether that be either walking or cycling. Councillor Iannucci also queried whether there was any national guidance around reasonable distance that a train station should be from where people lived.

In reply, the Head of Sustainable Development stated that Transport for Wales had provided both a map showing cycling and a map showing walking, but there was no guidance from Welsh Government to indicate what an acceptable distance was.

Councillor Champion stated that the Plan contained the possibility of 900 new houses which was a considerable amount that would require more sustainable transport needs particularly in relation to a new train station for St. Athan.

Councillor Champion referred to the Cowbridge Candidate site which could be another 405 houses. That was not mentioned in the Strategy, and he queried whether that Candidate Site would still be used. In reply, the Head of Sustainable Development stated that he could not confirm if that was the case as further assessment around the need for housing was required.

Councillor Driscoll stated that it was important to clearly define the north east Barry site as he considered it to be a part of Dinas Powys. Councillor Driscoll asked how many Brown Field sites had been identified for housing in the Vale of Glamorgan. Councillor Driscoll also stated that the north east Barry site would put a huge strain on the Westra and St. Andrews area and would increase traffic through the village of Dinas Powys with Dinas Powys likely to increase in size from a village to a town. In addition, he referred to flooding issues and the Cadoxton River which would adversely affect Sully Moors and this needed to be mitigated. In reply, the Head of Sustainable Development stated that in relation to the north east Barry site the issues affecting Dinas Powys would not be ignored, and all aspects would require assessment. In terms of Brown Field sites there were not that many in the Vale of Glamorgan that were suitable for development and the Council required land owners to be proactive and come forward to indicate how a site could be delivered. With regards to flooding the officer reiterated that the housing development site was not located on a flood zone and any development would have to indicate how it would meet the demands in terms of surface water and increased sewerage.

The Director of Place, in being asked to comment, stated that it was important to recognise that this was the Preferred Strategy and not everything in the document was finalised and a lot more assessment and research would be carried out and required. It was important for all comments to be fed into the process particularly during the consultation period and all comments raised would be considered. Councillors were able to submit comments directly to officers and these would be factored into as part of the consultation process. Following that, a report detailing comments and the Council's responses would be provided to Cabinet and the Scrutiny Committee.

Councillor Ernest referred to pages 129 and 130 of the Preferred Strategy and in particular land north west of Penarth. The land was indicated as north of Dinas Powys but some of that land was within the area for Penarth Town Council particularly on the Cardiff Road side. Councillor Ernest stated that there was a concern with the description of the location and there was also concern as the sole access and road would link to the busy Cardiff Road which by 2036 would be impassable. There were no large infrastructure projects lined up to relieve pressure particularly as the Dinas Powys by-pass had been cancelled and the current proposals would increase the flow of traffic. Councillor Ernest stated that there were

safety issues for pedestrians and school children and the Active Travel improvements had not enhanced the situation with the pavement being too narrow. In addition, Active Travel schemes for Cogan were also unsafe. Councillor Ernest stated that the site north of Dinas Powys would create a large urban jungle which was only accessed via the 93 bus, and which was only every hour, so the transport links required improvement.

Councillor Protheroe referred to the issue of sewerage and whether Welsh Water had considered the impact from the hundreds of extra houses. Councillor Protheroe also queried whether the level of affordable houses would impact on the level of homelessness. In reply, the Head of Sustainable Development stated that the Council relied heavily on Welsh Water which would be required to conduct a model exercise of the impacts from building a large number of houses. With regard to homelessness, it was difficult to say how that would impact from the number of affordable houses, but the Council would hope that there would be some improvement as a result of new facilities that would alleviate the pressures on current services.

Councillor Perry stated that he concurred with the point raised by Councillor Penn and it was important for the Council to look at what was built and where it was built. Councillor Perry stated that the Strategy regularly referred to sustainability but how the carbon footprint would be reduced was not clear. He stated that the vision within the Strategy required amendment and needed to be more ambitious and a lot of the Strategy was vague. Councillor Perry stated that it was important for the Council to reduce car ownership and for there to be a reduction in the number of private car journeys by switching to Active Travel with more public transport. Councillor Perry added that he hoped that the Strategy tonight would contain more detail around how to reduce car ownership, but he thought that the Plan was going to increase car use. The Plan did refer to Park and Ride, but again Park and Ride was aimed at those who owned cars. The Plan also did not refer to district heating and there was no mention around the source of heat and the Plan also required greater reference to Active Travel and also the promotion of alternative modes of transport. Councillor Perry commented that there appeared to be very little opportunity for self-build homes as residents could save a lot of money when compared to a similar house built by large developers. Councillor Perry stated that he felt that there was still a lot of work to be done with greater consideration needed around infrastructure such as doctors' surgeries and he stated that the Council should engage with focus groups prior to going out to full public consultation. Councillor Perry formally recommended for the Committee to suggest to Cabinet that the 8 week consultation should be extended by a further 2 weeks in order to allow for the Christmas holiday period.

This was formally agreed by the Committee.

Subsequently, it was

RECOMMENDED – T H A T Cabinet be advised of the view of the Environment and Regeneration Scrutiny Committee for the formal consultation period to be increased from 8 weeks to 10 weeks.

Reason for recommendation

Having regard to discussions at the meeting and the need to factor in the Christmas holiday period as part of the consultation process.”