

THE VALE OF GLAMORGAN COUNCIL

COUNCIL: 30<sup>TH</sup> SEPTEMBER, 2024

REFERENCE FROM ENVIRONMENT AND REGENERATION SCRUTINY  
COMMITTEE: 16<sup>TH</sup> JULY, 2024

“230 VALE OF GLAMORGAN REPLACEMENT LOCAL DEVELOPMENT PLAN (RLDP) 2021-2036 PREFERRED STRATEGY INITIAL CONSULTATION REPORT (REF) –

The reference from Cabinet was presented by the Head of Sustainable Development (with support from the Director of Place), the purpose of which was for the Committee to consider the appended report and its findings on the Replacement Local Development Plan (RLDP) 2021-2036 Preferred Strategy Initial Consultation Report.

The Preferred Strategy for the RLDP had been subject to a ten-week public consultation between December 2023 and February 2024, extended due to the Christmas Holiday period. The report set out the issues raised as part of that consultation and how the responses had been considered within the report.

A presentation, accompanying the reference and the report, was shared with the Committee, which outlined the key areas of this topic:

- The RLDP Process.
- Consultation on Preferred Strategy.
- Responses to the consultation.
- Structure of the Report.
- Welsh Government (WG) representation and other statutory consultation bodies .
- Infrastructure concerns raised on all key sites.
- Representations on the key sites: North East Barry, St Athan, North of Dinas Powys and Readers Way, Rhoose.
- Structure of the Deposit RLDP.
- Next steps for the RLDP, including seeking endorsement of the actions in the Initial Consultation Report, the Preferred Strategy as the basis for the ongoing preparation of the Deposit Plan.

A number of questions and comments were raised at the meeting on this item, which included the following:

- Councillor Franks, with permission to speak, felt that the concerns raised as part of the consultation process had not been properly addressed, in particular concerning the North East Barry development, which also encompassed Dinas Powys. These concerns included health provision and infrastructure,

schools, public transport and potential flooding. He was concerned about the point and rationale of the consultation process when residents, in his opinion, were being given the impression that their feedback was of no consequence. It was explained by the Head of Sustainable Development that this was not the case, and the Council was still in the initial stages of this process, whereby it was looking at the strategic direction of the RLDP. Resident commentary and feedback about these sites were not being ignored, and work on the issues raised about these sites were being looked at and the details on the points raised were being worked out. At the Preferred Strategy stage there was not the level of detail which there would be at the Deposit Plan stage, but due consideration would be given to any concerns raised. It was extremely useful and valuable to hear residents' comments and insights on health, flooding, traffic and other issues in order to help form the next steps. All of the risks identified would be properly assessed, i.e. Natural Resources Wales (NRW) in respect of flooding had responded positively by indicating there was no clear overriding flood risk in parts of the North East Barry site which the developers had proposed the housing to be located in. The flood risk and surface water management would be something that would be built upon through the Deposit RLDP process.

- On Councillor Hooper's question on how the Council communicated and engaged with its residents, in order to reassure them that their concerns were being addressed, it was explained that the consultation report's appendices detailed the comments received and provided a response to each of those, as well as summarising the nature of these comments and responses. In turn, the report also offered an officer perspective on the balance they had tried to achieve as part of the RLDP process and development in order to achieve an appropriate level of growth. The Cabinet Member for Community Engagement, Equalities and Regulatory Services, with permission to speak, stated that the consultation was important, but the valuable input from the public also had to be balanced with the assessment from the experts on employment growth and housing. On the point concerning communication with residents on this part of the process, this would be taken back to the Communications team.
- On Councillor Champion's queries on the WG's response that the Vale of Glamorgan Council should be working with other councils and on the rejection of Llandow as a candidate site for the RLDP, it was explained that the WG's view was that new settlements were of a scale which should be considered in strategic development plans which were by their nature cross-boundary and regional in nature than local development plans so that's why the Council was precluded from allocating new settlements. WG's point in respect of the cross-boundary working was that the Council should demonstrate not that it should have done something different to what it was doing but just through this stage of the process and onto deposit the Council should be continuing to work with Cardiff and other neighbours to demonstrate that each of their plans sat satisfactorily next to each other and be at a similar stage.
- Councillor Protheroe referred to infrastructure and on Dwr Cymru's recommendation to the Council that the hydraulic modelling assessments should happen prior to the planning application stage not at the development plan stage for these developments. As part of this, Dwr Cymru had also referred to the Western Vale and Aberthaw Water Treatment Works and their

insufficient capacity in this regard. Although there was a 10-year Asset Management Plan in place it was important that the Council did not undertake housing developments in this area prior to sufficient infrastructure and capacity having been put in place for water treatment and management by Dwr Cymru, and that the Council ensured the increase in capacity and timing of this. The Chair added to this by saying about the RLDP and the dependencies that it set around necessary infrastructure (i.e. St Athan with adequate health facilities and to build a train station there) and what happened if these were not met or not deliverable in terms of the RLDP. It was explained that with regard to the circumstances outlined by the Councillor and the Chair, a reappraisal of the strategy would be needed to ensure that it and the sites concerned remained viable. In terms of St Athan, there were multiple strands to the rationale for development, therefore it was not just about the provision a new train station but also aligning affordable housing with new employment opportunities at Aberthaw and the enterprise zone as well as delivering various services and infrastructure. The larger, more strategic sites had considerable potential, which was a view also shared by WG, and offered a more positive approach towards growth and a more robust level of infrastructure.

- The Vice Chair asked what contingencies were in place should the development at St Athan start but subsequently the Council was told that no train station would be built. It was explained that this was a 'chicken and egg' situation, because to demonstrate the business case for a train station there needed to be housing, etc. being built and developed nearby. If the train station were not to happen, that would not negate the need for the development and the Council would need to look at alternative and sustainable transport provision instead, i.e. explore 'park and ride' options to neighbouring train stations and minimise the need to travel through having significant infrastructure in place at the location. It was important to ensure that as much positive momentum as possible towards a train station continued to be built up. Park and ride could be built into the development if required due to its size which helped in terms of flexibility.
- Councillor Wiliam felt the Council had taken a more 'holistic' approach in terms of the language used, etc. for the RLDP, which was a positive aspect for such an enormous piece of work. He also asked about the timetable of the feasibility study for St Athan and to clarify the meaning of the term 'master planning' with reference to the RLDP. On the timetable, more detail on this was being sought and this would be shared with the Committee in due course. On master planning, this sought to provide more detail on what a new development should look like and thereby give more information and certainty to both developers and local communities on what the development would look like.
- Councillor Driscoll asked about planning permission being granted to the various RLDP sites and, on the two sites at Dinas Powys, the potential for flooding nearby, offsite, as well as what steps would be taken to mitigate this. On planning permission, the adoption of a plan did not represent a site having permission, but it was a significant material consideration in any subsequent planning application and so resembled a form of pre outline consent which would need to be considered as part of any planning application process. On potential flooding offsite near to the Dinas Powys sites, this was considered as

- part of the RLDP to be as important to onsite flood risks, and consideration had to be given that there was no elevated flood risk on or nearby to the site.
- Councillor Penn stressed that the RLDP was as much about building communities as it was about building houses and infrastructure in order to build sustainable developments with health, education and retail facilities. It was important to move away from building 'bland' and 'homogenised' housing estates and for the Council and developers to be more creative, citing the example of the East Witchell development. Research had shown that the places people lived in had a direct bearing on their life chances and outlook. What was built was as important as where it was built. It was explained that master planning assisted with developing such communities.
  - Councillor Norman asked how the Council and Planning Officers could guarantee that property developers delivered what they proposed, citing previous examples in the Vale of Glamorgan where this had not been the case. In response, it was important to set the bar high in terms of allocating infrastructure and facilities at any given site and as part of future planning application considerations, as well as having robust legal requirements in place to help such infrastructure being delivered at developments. Lessons had also been learned from previous developments, including the need for 'front loading' of the process so that by the development management stage there were robust processes in place for delivering infrastructure.
  - Councillor Hooper raised concerns about the previous question raised about insufficient capacity with regard to the Aberthaw Wastewater Treatment Works and whether the related development would be put on hold until this was addressed. He also talked about the lack of discussion on infrastructure mitigation with existing developments and that this should have been included in the report. It was explained that planning permission would not be granted for the relevant development until the necessary infrastructure improvements had been made for drainage / wastewater. However, developments and allocations in themselves did not need to demonstrate that they would be able to overcome existing issues. But, via placemaking work efforts, the relevant parties would be made to improve the situation in these areas and to ensure that all parties had a shared responsibility to address issues around transport, etc.
  - The Director of Place also responded to the various matters raised. This included issues with previous developments which had already been addressed via the current planning system and that further improvements to the infrastructure of existing developments were also being addressed. On infrastructure, Section 106 funding and the development contribution system would help at mitigating existing problems where they were possibly exacerbated by new developments as well as looking at active travel plans to help mitigate transport issues. The RLDP, with other related documents, worked to make the infrastructure situation no worse and aimed to make things much better than it currently was.
  - Councillor William reiterated the importance of an holistic approach to the RLDP and to avoid the mistakes made in the past with this and as part of the master planning involved. It was explained that key issues and concerns about infrastructure and the environment for new developments were addressed via the master planning stage, the development management

policies in the deposit plan and the supplementary planning guidance that sat alongside the policies.

- Council Hooper (whose points were also echoed and endorsed by Councillor Penn) referred to the importance of looking at smaller scale developments as well in helping to address ‘gaps’ in terms of social housing provision and the Council’s relationship with Town and Community Councils and other Registered Social Landlords (RSLs) with regards to this. In response, although a key focus for master planning would be the larger, more strategic housing and community developments, smaller scale developments could tie in with the Council’s development management policies and those on in-field development. The Councillor’s points on this would be forwarded to colleagues in Housing to look at the viability of this suggestion, particularly in light of the growing use of modular building using modern methods of construction.
- Councillor Norman stressed the importance and need to focus on single person accommodation in these developments, due to the current need for this type of housing. It was explained that the Council could not be too prescriptive in terms of the appropriate mix of housing sizes but would ensure that this mix represented the demand seen for various types of housing for different numbers of occupants.
- Finally, the Chair asked whether there would be further consultation with Elected Members on the Deposit RLDP, in conjunction with local residents and communities. This was confirmed, and such engagement would also be undertaken with Town and Community Councils.

Councillor Wiliam, seconded by Councillor Hooper, put forward a recommendation as follows –

That the report be referred back to Cabinet for further consideration, due to the concerns raised by some Members at the Committee meeting over the issues surrounding the environment, transport and traffic, flood risks, education and health provision relating to the various developments considered as part of the RLDP.

A Recorded Vote took place on the above proposed recommendation as follows:

<b>Members</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
C.E.A. Champion	√		
P. Drake		√	
V.P. Driscoll	√		
A.M. Ernest			
M.J. Hooper	√		
C. Iannucci-Williams		√	
S. Lloyd-Selby		√	
J.M. Norman		√	
E. Penn		√	

J. Protheroe		√	
S.T. Wiliam	√		
<b>TOTAL</b>	<b>4</b>	<b>6</b>	<b>0</b>

The recommendation was not carried and there being no further recommendations proposed a Recorded Vote took place on the original, substantive, recommendation below as follows:

“That the report be noted and referred to the meeting of Full Council on 30<sup>th</sup> September, 2024 for:

- a) endorsement of the actions set out in the Initial Consultation Report;
- b) approval of the Replacement Local Development Plan (RLDP) Preferred Strategy as a basis for the ongoing preparation of the Deposit RLDP.

In order to seek approval for the proposed changes to the Preferred Strategy as set out in the Initial Consultation Report and to allow officers to progress with preparation of the Deposit RLDP in accordance with the Council’s approved Delivery Agreement.”

<b>Members</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
C.E.A. Champion		√	
P. Drake	√		
V.P. Driscoll		√	
A.M. Ernest			
M.J. Hooper		√	
C. Iannucci-Williams	√		
S. Lloyd-Selby	√		
J.M. Norman	√		
E. Penn	√		
J. Protheroe	√		
S.T. Wiliam		√	
<b>TOTAL</b>	<b>6</b>	<b>4</b>	<b>0</b>

The vote being carried, it was

**RECOMMENDED – T H A T** the report be noted and referred to the meeting of Full Council on 30<sup>th</sup> September, 2024 for:

- a) endorsement of the actions set out in the Initial Consultation Report;
- b) approval of the Replacement Local Development Plan (RLDP) Preferred Strategy as a basis for the ongoing preparation of the Deposit RLDP.

### Reason for recommendation

Having regard to the contents of the report and the discussions at the meeting. Also, in order to seek approval for the proposed changes to the Preferred Strategy as set out in the Initial Consultation Report by Full Council and to allow officers to progress with preparation of the Deposit RLDP in accordance with the Council's approved Delivery Agreement."

Attached as Appendix – Reference from and [link to Report](#) to Cabinet - 11<sup>th</sup> July, 2024

## APPENDIX

THE VALE OF GLAMORGAN COUNCIL

ENVIRONMENT AND REGENERATION SCRUTINY COMMITTEE: 16<sup>TH</sup> JULY, 2024

REFERENCE FROM CABINET: 11<sup>TH</sup> JULY, 2024

### **“C70 VALE OF GLAMORGAN REPLACEMENT LOCAL DEVELOPMENT PLAN (RLDP) 2021-2036 PREFERRED STRATEGY INITIAL CONSULTATION REPORT (CEERS) (SCRUTINY – ENVIRONMENT AND REGENERATION) –**

The Leader presented the report on behalf of the Cabinet Member, the purpose of which was to advise Cabinet of the issues raised through representations received during the public consultation exercise undertaken between December 2023 and February 2024 in respect of the Preferred Strategy for the Vale of Glamorgan Replacement Local Development Plan (RLDP) 2021-2036.

The Preferred Strategy for the RLDP had been subject to a ten-week public consultation between December 2023 and February 2024 and the report set out the issues raised as part of that consultation and how the responses had been considered within the report.

The Preferred Strategy set out how much growth would be accommodated in the Vale of Glamorgan from 2021 to 2036 in terms of population, homes and jobs, with growth met in the most sustainable locations which reduced the need to travel, sought to co-locate housing with employment and locations well-served by public transport.

Engagement on the Preferred Strategy took place a number of ways, including online and in-person engagement sessions across the Vale of Glamorgan, as well as sessions with Elected Members, Town and Community Councils and specific stakeholder groups such as the 50+ Forum and Equalities Consultative Forum. In total, over 3,000 representations were made from 857 individuals and organisations. Notably there was a representation from Welsh Government stating that they considered the Preferred Strategy to conform with the National Development Framework: Future Wales, with the scale of growth being at an appropriate level for the Vale of Glamorgan's position within a national growth area. The spatial distribution of that growth to sustainable locations was considered appropriate and in line with national policy. Comments were made from other stakeholders that the scale of development was too high, and others considered it to be too low.

The RLDP made provision for 8,679 new houses, compared to 10,400 in the current adopted Local Development Plan (LDP). The RLDP level of growth was a median level, with higher and lower gross scenarios being tested. The housing supply was made up of new housing allocations, committed sites and allowance for unallocated windfall sites.

The adopted LDP included housing allocations totalling over 8,000 new dwellings. The RLDP Preferred Strategy showed a more modest allocation of up to 2,750 new homes on new sites, or 32% of the provision, plus a further 2,600 homes on sites in the adopted LDP that had been rolled forward.

Key sites in the RLDP were in parts of the Vale of Glamorgan with the highest levels of affordable housing need and provided real opportunity to deliver homes for those in housing need through Section 106 funding.

Most of the representations made during the consultation period were objections to the key sites identified within the Preferred Strategy, with similar issues raised across the five key sites including the impact of new development on the natural environment and the ability of existing infrastructure to cope with increased demand. The initial consultation report addressed those key points and set out the prepared evidence in support of the Development Plan and addressed the concerns raised.

The consultation allowed for new sites to be submitted as part of a second call for candidate sites, with 14 new sites submitted as part of the process, and 24 new sites with amendments of boundary or use which would now be assessed to determine their suitability for inclusion in the Deposit Plan.

This was a matter for Executive decision.

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T the contents of the report be noted.
- (2) T H A T the report be referred to Environment and Regeneration Scrutiny Committee for their consideration. Should the Committee raise no further matters for Cabinet consideration, the report be referred to a meeting of Full Council on 30<sup>th</sup> September, 2024 for:
  - a) endorsement of the actions set out in the Initial Consultation Report;
  - b) approval of the Replacement Local Development Plan (RLDP) Preferred Strategy as a basis for the ongoing preparation of the Deposit RLDP.

#### Reasons for decisions

- (1) To outline to Members the issues raised during the 10-week public consultation exercise on the RLDP Preferred Strategy.
- (2) To seek approval for the proposed changes to the Preferred Strategy as set out in the Initial Consultation Report and to allow officers to progress with preparation of the Deposit RLDP in accordance with the Council's approved Delivery Agreement."