



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Rhondda Cynon Taf County Borough
Council
Spatial Development Team
Regeneration and Planning
Floor 3
Sardis House
Sardis Road
Pontypridd
CF37 1DU

Ein cyf/Our ref: C.09.95.01/AJ

8 August 2013

Dear Sir / Madam,

**RHONDDA CYNON TAF COMMUNITY INFRASTRUCTURE LEVY – DRAFT
CHARGING SCHEDULE (JUNE 2013)
RHONDDA CYNON TAF PLANNING OBLIGATIONS SPG (JUNE 2013)**

Thank you for the opportunity to comment on the Community Infrastructure Levy (CIL) – Draft Charging Schedule, and the Planning Obligations Supplementary Planning Guidance (SPG).

Natural Resources Wales brings together the work of the Countryside Council for Wales, Environment Agency Wales and Forestry Commission Wales, as well as some functions of Welsh Government. Our purpose is to ensure that the natural resources of Wales are sustainably maintained, used and enhanced, now and in the future.

Our comments are made in the context of our role as statutory advisor to Government on matters pertaining to the environment, enabling the sustainable development of Wales' natural resources for the benefit of people, the economy and wildlife, and the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005.

We welcome the work that has been undertaken in the preparation of these documents. Our detailed comments are provided in the attached Annex A.

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Croesewir gohebiaeth yn y Gymraeg a'r Saesneg
Correspondence welcomed in Welsh and English

Yours faithfully,

Gillian Barter

**Gillian Barter
Team Leader
Vale and Valleys**

Annex

Community Infrastructure Levy – Draft Charging Schedule

Paragraph 3.2

Typographical error: We suggest that the reference to “£253m” should be replaced with “£243m”, to ensure consistency with figures set out in the *Infrastructure Assessment Background Paper* (Revised March 2013).

Appendix A

Typographical error: The Draft Infrastructure List should be dated April 2013, not May 2013.

Planning Obligations SPG (Revised May 2013)

Section 3 – planning Obligations: General Guidance

Paragraph 3.9

We welcome the clarification that independent ecological advice will be sought by the authority, where appropriate, as part of its assessment of viability.

Paragraph 3.10

We suggest the term ‘environmental attenuation measures’ be replaced with something more positive, such as ‘measures to protect and enhance the environment.’

Paragraph 3.12

In making a judgement as to whether a proposed development would still be acceptable with a reduced level of contributions, we suggest that the Council should consult other relevant organisations, such as NRW, where specialist matters such as ecology or flood risk management need to be considered. We therefore recommend that this section of the SPG refers to the potential need for the Council to seek specialist advice on certain matters.

Paragraph 3.14

Our comments above to paragraph 3.12 are also relevant in any re-negotiation of planning obligations. We therefore recommend that the SPG clarifies that the Council may consult other organisations on specialist matters where it is considering a proposal to re-negotiate a planning obligation.

We also suggest that the word ‘acceptable’ be replaced with a more positive term, such as ‘sustainable’.

Paragraph 3.20

We consider that the examples included in this paragraph should also include a specific reference to flood management measures / flood defences.

Paragraph 3.21

This section should include an additional bullet point entitled ‘Statutory Undertakers / Other Organisations’. The final sentence to the second bullet point will be relevant to

the new third bullet point, with the inclusion of a reference to flood defences / management measures.

Consequently, we advise that the text preceding the bullet points should be amended to: "Maintenance can be provided as follows:"

Section 4 - Planning Obligations: Contributions Framework
Paragraphs 4.59 to 4.65

We welcome the recognition that any type of development has the potential to impact on natural heritage interest, and therefore welcome the clarification that there is no size of proposal below which an obligation will not be required.

We also welcome and support the clarification provided on how planning obligations may be used. However, we suggest another bullet point is added which states:

- 'Secure flood risk improvements and enhancements from new developments to reduce flood risk to neighbouring/existing communities'.