

**Adroddiad i Gyngor  
Bwrdeistref Sirol Rhondda  
Cynon Taf**

**Report to Rhondda Cynon  
Taf County Borough Council**

gan

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Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 07/02/2011

by

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An Inspector appointed by the Welsh Ministers

Date: 07/02/2011

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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 64

**REPORT ON THE EXAMINATION INTO THE  
RHONDDA CYNON TAF LOCAL DEVELOPMENT  
PLAN UP TO 2021**

Plan submitted for examination on 28 January 2010

Examination hearings held between 11 May and 16 September 2010

Cyf ffeil/File Ref: L6940-LDP-10-005

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## 1 INTRODUCTION AND SUMMARY

- 1.1 Under the terms of Section 64(5) of the Planning & Compulsory Purchase Act 2004, the purpose of the independent examination of a Local Development Plan is to determine:
  - (a) whether it satisfies the requirements of sections 62 and 63 of the Act and of regulations under section 77; and
  - (b) whether it is sound.
- 1.2 This Report contains an assessment of the Rhondda Cynon Taf Local Development Plan (the LDP) in terms of the above matters, along with the Inspector's recommendations and the reasons for them, as required by section 64(7) of the Act.
- 1.3 The LDP meets the requirements of the Act and Regulations. As to whether the Plan is sound, the Inspector's role is to consider the submitted Plan against the tests of soundness set out in paragraph 4.35 of the Welsh Assembly Government publication *Local Development Plans Wales 2005 (LDP Wales)*. The tests fall into three categories: the Procedural Tests; the Consistency Tests; and the Coherence and Effectiveness Tests. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan, together with the evidence base that supports that position. Since the purpose of the examination is to determine whether the Plan is sound, the changes recommended in this binding report are made only where there is a clear need to amend the document in the light of the legal requirements and/or tests of soundness. The changes are in line with the substance of the overall Plan and its policies, and do not undermine the sustainability appraisal (SA) and participatory processes that have been undertaken.
- 1.4 A number of Representors have proposed extensions to strategic sites and/or the allocation of alternative sites for, amongst other things: housing; employment; tourism facilities; waste developments; and road schemes. Where the development of these sites would have significant environmental effects but they have not been subject to satisfactory SA, they could not be included in the Plan in any event. To do so would render the Plan unsound. In respect of the other sites, there are likely to be a number of ways a local planning authority can meet the needs of its community and all could be equally valid. Some may consider that the allocations in the Plan do not present the best solution. However the Inspector can only recommend a change that is needed to make the plan sound. It is beyond the Inspector's remit to seek make a sound plan better. In the light of the conclusion that the Plan submitted for examination is sound, subject to the other recommendations made in this Report, there is no need to allocate further sites or to refer to them in the Report.
- 1.5 The Plan makes provision for development on unallocated sites subject to policy criteria. Some alternative sites that were unsuccessfully proposed for allocation may nevertheless be eligible for such development.
- 1.6 Consideration has been given to all duly made representations and matters raised at the examination hearings. However, given the focus of the examination on Plan soundness, this report does not refer specifically to the individual representations made in each case. It alludes to matters raised by individual representations only where it appears they raise substantive issues concerning the Plan's soundness. Plan changes sought by any Representor are the subject of a recommended change only where, on the basis of all of the evidence, such a change is required in order to make the Plan sound.

### *Post Deposit Changes*

- 1.7 The LDP was placed on Deposit in February/March 2009. During the consultation period on 11 February 2009, the Council issued a Corrections Addendum (Document EB7a). Prior to submission of the LDP for examination, the Council considered the representations received and responded to them in Document EB14. The Council decided to make a number of Focussed Changes (FCs) to the Plan (see Document EB17). That document was subject to revised SA and was duly advertised and subject to a further period of public consultation ending on 24 February 2010.
- 1.8 At the Pre-Hearing Meeting on 25 March 2010 the Council confirmed that the Plan it wished to be examined is the Deposit LDP as modified by the above Corrections and the Focussed Changes. All changes set out in the annexed Schedules to the Report and their appendices are changes to the Deposit Draft LDP and its associated maps, as already amended by the Corrections Document and the Focussed Changes.

### *Organisation of the Report*

- 1.9 **Section 2** of this Report introduces the soundness tests. Subsequent sections then deal with the relevant matters and issues considered during the examination to address its soundness in terms of testing consistency, coherence and effectiveness. They cover the following topics:

3. **Local Development Plan Chapters 1-3**
4. **The Northern/Southern Strategy Areas**  
Policies CS 1 and 2, NSA 1-3, 12, 24-27 and SSA 1-2, 5-6, 13, 22-24 & 27
5. **Strategic Sites**  
Policies CS3, NSA 4-8, and SSA 3, 7-9
6. **Housing**  
Policies CS 4, AW 1, NSA 9-10 & SSA 10-11
7. **Affordable Housing**  
Policies CS 5, AW 3, AW 4(part), NSA 11 & SSA 12
8. **Employment**  
Policies CS 6, AW 11, NSA 14-16 and SSA 14;  
Employment on NSA 8 and SSA 8 strategic sites
9. **Retail Development**  
Policy CS 7; Retail development on NSA 8, SSA 8 & SSA 9 strategic sites;  
Policies NSA 17-19 and SSA 15-17
10. **Transportation**  
Policies CS 8, NSA 20-22, & SSA 18-21
11. **Waste**  
Policies CS 9, NSA 28 and SSA 25
12. **Minerals**  
Policies CS 10, SSA 26 & AW 14-15
13. **Area Wide Development Policies**  
Policies AW 2, AW 4(part), AW5-10, AW12-13
14. **Tourism, Leisure and Community Facilities**
15. **Monitoring and Review - Chapter 7**
16. **Infrastructure**
17. **Glossary**
18. **List of Supplementary Planning Guidance**
19. **Recommendations**
20. **Minor Changes**
21. **Overall Conclusions**

**Schedule A** - Matters Arising Changes put forward by the Council (plus Pt 1 & Pt 2 Appendices)

**Schedule B** - Inspector's Changes

**Schedule C** - Minor Editorial, Factual and Typographical changes put forward by the Council

### *Summary Conclusion*

1.10 The overall conclusion is that the LDP is sound, provided it is changed in the ways specified. With these recommended changes, the LDP satisfies the requirements of section 64(5) of the 2004 Act and meets the tests of soundness in LDP Wales.

### *Summary of Changes*

1.11 The report sets out all the detailed changes required, including those proposed by the Council, to ensure that the plan meets the tests of soundness. In summary, the main changes which arise from the examination and that are required for the Plan to be sound are:

#### *A) The Council's Proposed Changes that are also Recommended by the Inspector, with or without Modification.*

##### *Chapters 1-3*

- Update the Chapter 1 Introduction to take account of local, regional and national policy changes since the Plan was placed on Deposit.
- Amend Chapter 2 for coherency to clarify the key issues to be addressed.
- Amend Chapter 3 for coherency to clarify the Plan's aims.

##### *Strategy*

- Amend the Core Strategy to include a broader policy objective to prioritise the re-use of previously-developed land over greenfield development in line with national policy in Wales and to address travel patterns more comprehensively.

##### *The Strategic Sites*

- Make changes to the individual policy criteria for the development of the major strategic sites to: reduce their impact on the natural environment; improve the deliverability of the proposals; and to clarify the means of implementation.
- Amend the housing estimates for several large strategic sites to accommodate potential development constraints and in the interests of flexibility.

##### *Housing*

- Reduce the size of a housing site at Tylcha Wen Terrace, Tonyrefail that would have included unrealistically steep land and an unacceptably adverse landscape impact.
- Amend the housing density policies with regard to the circumstances where minimum densities may be reduced in order to clarify the means of implementation.
- Allow for rural enterprise dwellings to be constructed in the countryside in accordance with national policy.

##### *Affordable Housing*

- Clarify the criteria for assessing the viability of affordable housing provision.
- Reduce the thresholds at which affordable housing provision will be required in new housing developments in order to maximise the provision of such housing.
- Clarify when affordable housing provision may exceptionally be made off-site.

##### *Employment*

- Reduce the scale of the employment allocation proposed at Mwyndy Cross to take account of revised site measurements.

##### *Retail Development*

- Clarify the retail floorspace provision across the Plan area and in new local centres.
- Clarify that the retail centre boundary for Talbot Green is also the town centre boundary.

##### *Waste*

- Delete unnecessary policies to protect recycling facilities that the Council can more appropriately protect through its land ownership.

### *Minerals*

- Amend the policies to safeguard mineral resources in line with national policy.
- Delete provisions for Community Amenity Protection Buffer Zones that are not consistent with national policy and that are not needed as other Plan policies provide protection to amenities.
- Add policy criteria to appropriately address development proposals to provide non-renewable energy such as the extraction of coal bed methane.

### *Transport*

- Provide that alternative routes will be investigated when some road schemes are progressed in the interests of flexibility.

### *Other Provisions*

- Allow for the re-use of buildings in the countryside for community purposes.
- Make other minor adjustments to various policies and the reasoned justification to bring them into line with national policy or to cross refer to national policy.
- Amend policies to remove overlapping and conflicting provisions between different policies in the interests of coherence and consistency.
- Make additional provision for the protection of the water environment in accordance with national policy.
- Amend the criteria for the provision of large wind turbines in accordance with national policy.
- Amend the description of settlement boundaries in recognition of their application in policies other than those for residential development in the interests of coherence.
- Make minor boundary changes to designated areas in the interest of consistency.

### *Monitoring*

- Replace Chapter 7 with a more comprehensive and clearer monitoring and review provisions.

### *Infrastructure*

- Add an Appendix setting out the infrastructure that is likely to be needed to support the development allocations in the plan, subject to negotiation at the application stage to assist in the implementation of the Plan's proposals.

## *B) The Inspector's Recommended Changes*

### *Strategic Sites*

- Remove land from a strategic site allocation at Llanillid which is subject to existing commitments for major development but for which the allocation contains no new policy.

### *Housing*

- Reduce the size of a housing allocation at Llanharry that is unlikely to be delivered in its original form due to issues of landscape, land ownership and land stability.
- Delete 2 further housing sites on steep hillsides at Treherbert and Pontypridd where land stability has not yet been investigated sufficiently to ensure that the sites can realistically be delivered.

### *Affordable Housing*

- Further clarify the criteria for assessing the viability of affordable housing provision.

### *Employment*

- Further reduce the scale of the strategic employment allocation proposed at Mwyndy Cross to take account of the obstacles to redeveloping and accessing land there that is already in employment or retail use.
- Revise policies to facilitate the re-use of redundant employment sites for other purposes subject to criteria and in order to make best use of such land.
- Delete a greenfield employment site adjacent to Llantrisant Business Park that is not needed and the development of which would be likely to harm adjacent protected land and the landscape.

*Retail Development*

- Phase the proposed retail development at Talbot Green so that the bulk of the comparison goods floorspace does not come forward significantly in advance of the identified need in accordance with national policy to make provision to meet such needs.

*Transport*

- In accordance with national policy, delete 2 road schemes in the Ely Valley and north of Maerdy that have not been demonstrated to be likely to be needed or deliverable within the Plan period.

*Other Provisions*

- Add a reference to the Council's intention to keep the need for Gypsy and Traveller position under review in accordance with national policy.

*Schedules*

1.12 **Schedule A** sets out the Matters Arising Changes (MAC01 – MAC136) proposed by the Council in response to matters considered during the examination and publicised on the examination website. Those changes set out in the Schedule that are needed to make the Plan sound are subject to binding recommendations in this Report. There are other changes proposed by the Council that are not essential to make the Plan sound but which would add clarity, consistency or accuracy. These have also been referred to and endorsed in this Report but they are not the subject of binding recommendations.

1.13 **Schedule B** sets out the Inspector's Changes (IC01 – IC22) that are also necessary for the Plan to meet the tests of soundness. In some cases, as referred to in this Report, these include modifications to the above Matters Arising Changes proposed by the Council. None of the ICs or MACs undermine the strategic environmental assessment/sustainability appraisal or the participatory process previously undertaken and they do not change the overall strategy or policy thrust within the Plan.

1.14 The Council has also submitted as **Schedule C** the Minor Editorial, Factual and Typographical Changes to be incorporated into the adopted Plan. These are endorsed. For the avoidance of doubt, the Council is also authorised to make any necessary re-numbering or other minor consequential changes arising from the incorporation into the Plan of the changes that are recommended or endorsed in this report.

*List of Abbreviations*

1.15 The following abbreviations are used in this Report:

|      |                                     |        |  |
|------|-------------------------------------|--------|--|
| CIL  | Community Infrastructure Levy       | PPW    | Planning Policy Wales (July 2010)          |
| EAW  | Environment Agency Wales            | RCT    | Rhondda Cynon Taf                          |
| EB   | Evidence Base                       | RTP    | Regional Transport Plan                    |
| ED   | Examination Document                | SA     | Sustainability Appraisal                   |
| ELR  | Employment Land Review              | SAC    | Special Area of Conservation               |
| DPH  | Dwellings Per Hectare               | SD     | Session Document                           |
| FC   | Focussed Change                     | SEWTA  | SE Wales Transport Alliance                |
| Ha   | Hectare                             | SEWSPG | SE Wales Strategic Planning Group          |
| IC   | Inspectors Change                   | SSA F  | Strategic Search Area F                    |
| ICP  | Indicative Concept Plan             | SSSI   | Site of Special Scientific Interest        |
| LDP  | Local Development Plan              | SINC   | Site of Importance for Nature Conservation |
| MAC  | Matters Arising Change              | SLA    | Special Landscape Area                     |
| MPPW | Minerals Planning Policy Wales      | SOA    | Strategic Opportunity Area                 |
| MTAN | Minerals Technical Advice Notes     | SPG    | Supplementary Planning Guidance            |
| MW   | Megawatt                            | TAN    | Technical Advice Note                      |
| NPFA | National Playing Fields Association | WAG    | Welsh Assembly Government                  |
| OCC  | Former Open Cast Coal site          | WSP    | Wales Spatial Plan                         |
| PEDL | Petroleum Exploration Devt Licence  |        |  |

## 2 THE SOUNDNESS TESTS

### *Procedural Tests*

- 2.1 The LDP has been prepared in accordance with the Delivery Agreement (as amended) and the Community Involvement Scheme.
- 2.2 The LDP complies with the specific requirements of the Town and Country Planning (Local Development Plan)(Wales) Regulations 2005 including requirements in relation to consultation, advertisement and the publication and availability of prescribed documents.
- 2.3 The LDP has been subject to sustainability appraisal including strategic environmental assessment.
- 2.4 In accordance with the Habitats Directive, an Appropriate Assessment has been undertaken (Evidence Base Document EB10) and, with the recommended changes, there would be no significant harm to the conservation of the Blaen Cynon Special Area of Conservation as a result of the policies and proposals within the LDP.
- 2.5 The Delivery Agreement, was approved by the Assembly Government on 18 January 2006 to include a 3-month slippage/tolerance allowance. Timetable revisions were agreed on 30 October 2006, 15 April 2008 and 21 December 2009. The timetable revisions accord with Regulations 9 and 10. There has been associated slippage in the production of the LDP. However the deposit date was within the 3 month slippage allowance and the Plan was submitted for examination in January 2010 as set out in the final version of the Agreement.
- 2.6 The Plan is sound in terms of the Procedural Tests.

### *Consistency, Coherence and Effectiveness Tests*

- 2.7 The following sections address the C1-C4 and CE1-CE4 soundness tests set out in paragraph 4.35 of *Local Development Plans Wales (LDP Wales) 2005*. The Plan is considered as a series of Topics beginning with its first three introductory chapters and then dealing with subject areas. Where it is concluded that a change is necessary for the Plan to be sound, or a minor change is endorsed to improve the clarity or accuracy of the Plan, the detail of that change is set out in the attached Schedules A, B or C.

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### 3 LOCAL DEVELOPMENT PLAN CHAPTERS 1 – 3

#### *Chapter 1 - Introduction and Context*

- 3.1 Chapter 1 sets out the document structure, key facts about Rhondda Cynon Taf, links to the national, regional and local strategies that provide a policy context for the LDP, and a description of the process involved in the preparation of the Plan.
- 3.2 The content of Chapter 1 is mainly factual and non-controversial, but parts have become dated in the two years since the Deposit Draft was published. This is either because the policy context has changed or because the process of the preparation of the LDP has advanced. The Chapter was not materially updated as part of the Focussed Changes but **MAC112** would suitably update Chapter 1 as shown in Appendix 12 of the attached Schedule A.

#### *Chapter 2 - Key Issues in Rhondda Cynon Taf*

- 3.3 In the submitted LDP, Chapter 2 is headed 'Key Issues in Rhondda Cynon Taf'. The text concentrates on the consultation process that was carried out to explore the issues and on the key social, economic and environmental trends but does not clearly identify what all of the key issues are. The aims of the LDP Strategy are only addressed very briefly in part of paragraph 2.9 under the misleading overall heading of 'Key Environmental Trends.' Neither do the identified trends and associated aims clearly identify the important cross-border relationships with Cardiff and the M4 corridor in terms of travel and migration.
- 3.4 Following discussion at Hearing Session 1, the Council has proposed a series of changes which are listed as **MAC01** in the Matters Arising Changes that are appended to this Report as Schedule A. These changes improve the coherence of the strategy and its regard to adjoining areas in accordance with soundness tests CE1 and C1.

#### *Chapter 3 - Vision and Objectives*

- 3.5 **MAC02** reintroduces a specific reference to onshore wind energy and provides a context from which flow the LDP renewable energy policies.
- 3.6 **MAC112** would amend the wording of Chapter 3 to update references to the Community Strategy in accordance with consistency test of soundness C4.

#### **Recommendation**

- 3.7 That in order to make the Plan sound the following changes are recommended:

**MAC01, MAC02, MAC112**

### 4 THE NORTHERN/SOUTHERN STRATEGY AREAS

#### *Policy CS 1 – Development in the North*

#### *Policy CS 2 – Development in the South*

- 4.1 The LDP area excludes that part of the Rhondda Cynon Taf County Borough (RCT) which lies within the Brecon Beacons National Park. The remainder of RCT lies within the South East Wales Capital Region as defined in the *Wales Spatial Plan 2008*

*Update* (the WSP). The WSP then subdivides the area within RCT into 2 policy areas; the 'Connections Corridor' in the south and the 'Heads of the Valleys Plus' in the north. An identified Strategic Opportunity Area (SOA) in the WSP includes the area around Llantrisant and stretches across the boundary into the North West of the County of Cardiff. In recognition of the different social, economic and other circumstances and trends that have been identified in the north and south of RCT, the Chapter 4 Core Strategy and subsequent policies in Chapter 6 propose significantly different policies in the defined Northern and Southern Strategy Areas. This spatial approach is consistent with the WSP and is sound.

- 4.2 The County Borough was in the past administered as 3 separate Local Planning Authorities within Mid Glamorgan. The boundary between the Northern and Southern Strategy Areas is closely aligned with the former boundary that divided the Taff Ely Borough Council in the south from the northern boroughs of Rhondda and Cynon Valley. The defined areas have formed the basis for much of the statistical analysis in the Evidence Base. Clearly each area is not entirely homogenous. Some settlements close to the boundary will share characteristics with those on the other side of the divide. Nevertheless the defined boundary is both logical and pragmatic and no amendments are required for the LDP to be sound in this regard.
- 4.3 During the hearings it was identified that the Policy CS 1 and CS 2 objectives needed to be strengthened in two respects. Firstly a reference to reducing commuting by car and promoting sustainable travel should apply in the northern area (as it already does in the south) for consistency with national and regional policy and the LDP's associated objectives in Chapter 2. This is suitably addressed by **MAC04**. Secondly, in both areas, to be consistent with national policy, the objective in paragraph 4.4.2 of *Planning Policy Wales (2010)(PPW)* to give preference to the re-use of previously-developed land and buildings over greenfield development should be clearly expressed in policies that apply to all forms of development. In the submitted LDP it is limited to a reference in supporting text for a housing policy at paragraph 4.44. The Council has proposed relevant changes as **MAC03** and **MAC05**. **MAC121** would provide in the Glossary a definition of previously-developed land and greenfield land.
- 4.4 Other differences that remain between the stated policy criteria for the northern and southern areas reflect the areas' differing characteristics and do not affect the soundness of the LDP.

#### *Settlement Hierarchy*

- 4.5 Policies NSA 1, SSA 1 and SSA 3 identify Aberdare as the sole Principal Town in the Northern Strategy Area and Pontypridd and Llantrisant/Talbot Green as the two Principal Towns in the Southern Strategy Area. This suitably reflects their status in the WSP.
- 4.6 No Principal Town is identified in the Rhondda, nor does the WSP identify any 'primary key settlement' there. Nevertheless the Rhondda settlements of Tonypany, Porth, Ferndale and Treorchy are all included in the 'key settlements' identified by Policy NSA 2. They account for half of the 8 key settlements identified in the LDP. Key settlement status suitably reflects the Rhondda settlements' comparative roles, and will allow for an appropriate level of development. There is a lack of convincing evidence that any one of these Rhondda settlements merits Principal Town status. Neither would conferring such status materially affect their prospects for development when compared to key settlement status, given the settlements' present complementary roles and the limited extent of developable land,

having regard in particular to the valleys' topography. The LDP already makes sufficient allocations for residential and employment development in the Rhondda. Its policies also provide for further development on unallocated sites within the settlement boundaries as well as for transport improvements.

- 4.7 Policies NSA 1-3, SSA 1, 4 and 6 set out criteria for development within the principal towns and key settlements. The Council has responded to representations in Document EB14 and there are no outstanding issues relevant to the soundness of the LDP. Policy *SSA 3 Development in the Principal Town of Llantrisant/Talbot Green* is considered below alongside Policy SSA 8.

*NSA 12 Housing Development Within and Adjacent to Settlement Boundaries*  
*SSA 13 Housing Development Within Settlement Boundaries*

- 4.8 In the submitted LDP the titles of these policies referred only to housing development. However, this is misleading as the settlement boundaries which they define, and which are shown on the Proposals Map, are also utilised by numerous other LDP Policies. **MAC59** and **MAC92** would therefore remove the word 'housing' from each policy title and are recommended in the interests of coherency and consistency. **MAC113** would make a consequential amendment to Criterion 2 of Policy CS 2. **MAC127** would make consequential changes elsewhere in the LDP.
- 4.9 NSA 12 would still specifically allow developments of up to 10 dwellings outside but adjacent to settlement boundaries in the Northern Strategy Area (except Aberdare). This is an untried approach with potential cumulative effects of such development on an area's character, amenity and travel needs. However the policy provides flexibility and it responds to the particular layout and topography of settlements in steep-sided valleys where there are only limited opportunities for windfall development. Such development is a necessary component of local housing supply, whether as market or affordable housing. The policy would still require relevant criteria to be met such that unsuitable development could be prevented. However it would be inappropriate to extend it to Aberdare or to the Southern Strategy Area. In these areas the physical geography and economic circumstances are different. The opportunities for peripheral development are accordingly much greater with a consequently increased risk of adverse cumulative impacts.
- 4.10 The Council set out its approach to the identification of settlements in Document EB108. Due to a lack of local facilities and services, Groesfaen and Talygarn and the other settlements to be listed at Appendix F by **MAC17** are unsuitable to accommodate even limited infill development without contributing to unsustainable travel patterns with an over-reliance on travel by car. The omission of a defined settlement boundary for these settlements is sound.
- 4.11 The Council made a number of changes to settlement boundaries at the Focussed Changes stage. The further amendments sought by Representors have been considered. With the exception of those listed below and those referred to elsewhere in this Report in relation to specific site allocations, the submitted LDP settlement boundaries are consistent with other policy objectives and sound.
- 4.12 The Council's proposed **MAC88** would suitably amend the settlement boundary in the vicinity of SSA 10.10 Land East of Hafod Wen and North of Concorde Drive, Tonyrefail to exclude the Site of Special Scientific Interest (SSSI) from the settlement boundary following its deletion as an allocation at the Focussed Changes stage.

- 4.13 The Council's proposed change to the settlement boundary at *AS(N)93 Land to the rear of Edwards Coaches, Llantwit Fardre* is appropriate having regard to the evidence of the site's planning history. The site lies partly within and partly outside the settlement boundary. **MAC130** would extend the settlement boundary to include the recently completed extension to the coach parking area and would remove the SINC and Green Wedge designations from that area which would no longer have any material benefit.
- 4.14 *AS(S)60 Penywaun. Land at Penywaun* - refers to a proposal by the Penywaun Enterprise Partnership to amend the settlement boundary north of Penywaun. The partnership is seeking a site for a community facility on part of the land but does not seek a specific allocation for that purpose. The site is unused land that is not part of the nearby Cynon Valley River Park and Special Landscape Area designations. The land has pedestrian access and there is a potential vehicular access route from Heol Bryn Gwyn. The site would be a logical extension to the settlement boundary and is a rare opportunity to allow for the development of new community services or other development close to other facilities to serve the local area which is in need of regeneration. That would support the wider strategy of the LDP and **IC20** would accordingly amend the boundary. Following discussion at Hearing Session 13A, the Council submitted an alternative boundary covering a smaller area. However that boundary bears no resemblance to any feature on the ground and is not now supported by the Council.
- 4.15 **IC20 Amend the settlement boundary to include site Land at Penywaun - AS(S)60.**
- 4.16 *AS(S)94 The Paddock at Celyn Farm, Efail Isaf* was outside the clear and defensible settlement boundary in the adopted Taff Ely Local Plan but would be included within the LDP settlement boundary. There is a lack of robust evidence to justify its inclusion within the settlement. It lies outside the built confines of the village and **IC21** would accordingly exclude it from the settlement boundary.
- 4.17 **IC21 Amend the settlement boundary to exclude The Paddock at Celyn Farm, Efail Isaf - AS(S)94.**

*NSA 13 – Rehabilitation/conversion of Large Buildings*

- 4.18 The Policy was amended by Focussed Change L to correct a typographical error. No further change is needed for the LDP to be sound.

*NSA 24/SSA 22 Green Wedges*

- 4.19 The Council's methodology for the designation of Green Wedges is set out in Document EB89 and accords with national policy in PPW. The method is sound and no amendments are needed to add to or remove areas so designated in the submitted LDP other than those recommended elsewhere in this report.
- 4.20 Policy SSA 22 for the Southern Strategy Area includes text to protect the open nature of land within a Green Wedge area. For the plan to be consistent and coherent, similar text should also appear within Policy NSA 24 for the Northern Strategy Area instead of being erroneously included within the reasoned justification at paragraph 6.92. **MAC61** would correct that error.

### *NSA 25/SSA 23 Special Landscape Areas*

- 4.21 Evidence Base Documents EB48 and EB49 explain the evolution of the Special Landscape Areas (SLA) from those designated in the previous local plans. This has employed revised methodology and has involved collaboration with neighbouring authorities. Whilst the submitted Merthyr Tydfil LDP does not include SLA areas where the boundary adjoins those designated in RCT, the Merthyr LDP would otherwise restrain development of the adjoining land and policy conflicts are unlikely. The LDP is generally sound in respect of the SLA designations and, unless referred to elsewhere in this Report, no amendments are needed to add to or remove areas so designated in the submitted LDP. In some cases, the LDP allocates land for development within an area that was recommended for inclusion in an SLA but which has not been so designated in the LDP. However whilst SLA designation does not preclude all development, it is appropriate that land should not be so designated where an overriding need has been identified for development that would not necessarily allow the special characteristics of the SLA to be protected.
- 4.22 **MAC19** would (amongst other things) remove Criterion AW 2(8) and suitably amends paragraph 5.8 to include a cross reference to Policies NSA 25 and SSA 23 which provide the criteria for development within SLAs.
- 4.23 **MAC88** would suitably amend the settlement boundary in the vicinity of SSA 10.10 Land East of Hafod Wen and North of Concorde Drive, Tonyrefail to add it to the adjacent Special Landscape Area with which it shares the same qualities (see above).
- 4.24 *AS(N)84 Land at Elms Farm, Llanharry* has a longstanding Local Plan designation as part of a Green Wedge area which the LDP would considerably extend. However in the LDP the site was also added to a new Special Landscape Area designation, notwithstanding that it was not recommended for inclusion in the SLA EB49 Report. It is a mainly low-lying area between a modern housing development and a motorway embankment and subject to noise from the motorway. No satisfactory explanation has been provided in response to Representations against the site's inclusion in the SLA. As it is not founded on a robust evidence base and the site does not possess the same qualities as other parts of the SLA, it would be removed by **IC22**.
- 4.25 **IC22 Amend the SLA boundary to exclude The Land at Elms Farm, Llanharry – AS(N)84.**

### *NSA 26 – Cynon Valley River Park*

- 4.26 Several representations seek the de-designation of areas of land from the Cynon Valley River Park on the basis that it is seen as an impediment to built development. However the policy and reasoned justification make clear that built development is not excluded by the policy although the design of such development should respect the area's special characteristics. No change is required for the LDP to be sound.

### *NSA 27/SSA 24 – Land Reclamation Schemes*

- 4.27 Although it is not explicit in the Policy or reasoned justification, the Council confirmed in Document EB14 that the listed sites are all on public land and as such have specific eligibility for grant funding. Confirmation of these sites in the LDP would assist with grant applications. Whilst the viability and timing of the schemes may depend on such grants and on future decisions by the funding bodies, these remain suitably

realistic proposals. This does not exclude the need for reclamation of other private land that is proposed for development by other LDP policies. Those allocation policies would similarly support any relevant grant applications.

- 4.28 AS (N) 177 seeks the allocation of the Lady Lewis Site, Ynyshir for land reclamation. However the site is appropriately designated as a Site of Importance for Nature Conservation (SINC) and a SLA. The characteristics of those designations would be harmed by reclamation and there is no evidence of an overriding public safety need. The LDP is therefore sound without this land reclamation allocation.

#### *SSA 2 – Pontypridd Town Centre Enhancement*

- 4.29 No representations were made on this policy. During the examination the Welsh Assembly Government announced funding for a regeneration scheme which will assist in its implementation.

#### *SSA 5 – New Educational Facilities*

- 4.30 MAC64 is not necessary and is not recommended as 'in Tonyrefail' has previously been deleted from the Policy title. MAC65 would amend paragraph 6.127 to clarify that the new primary school at Tonyrefail would be funded by contributions from all developments of 10 or more dwellings in the area and not only from the Trane Farm development.

#### *Policy SSA 27 Land at Beddau Caravan Park*

- 4.31 FC 41 amended paragraph 6.190 and the Proposals Map. FC 6 added a new policy for Gypsy and Traveller development on unallocated land (see Area Wide policies below).

### **Recommendation**

- 4.32 That in order to make the Plan sound the following changes are required:

**MAC03, MAC04, MAC05, MAC17, MAC19, MAC59, MAC61, MAC88, MAC92, MAC113, MAC121, MAC127, MAC130**

**IC20, IC21, IC22**

- 4.33 The following minor change which the Council wishes to make to improve the clarity or accuracy of the Plan is endorsed:

MAC65

## **5 STRATEGIC SITES**

### *Policy CS 3 – Strategic Sites*

- 5.1 The LDP defines strategic site allocations as those with an overall area in excess of 20 hectares (ha). In total the CS 3 sites are proposed to provide over one third of the housing development in the plan period as well as the majority of the new retail space, and a significant amount of employment and other development. It is therefore of particular importance to the soundness of the LDP that these strategic site allocations should effectively deliver a sufficient amount of development.

*NSA 4 - Former Maerdy Colliery Site, Rhondda Fach*

- 5.2 The former colliery site covers an extensive area in an attractive historic landscape at the head of the Rhondda Fach valley. It is proposed for a large scale reclamation scheme to provide mainly for informal recreation but with 1ha reserved for employment development. As only a low land value is anticipated for the site's after-use, the delivery of the site is heavily dependent on Welsh Assembly Government grant funding, which is not guaranteed. The development of the employment site in the location shown on the Indicative Concept Plan (ICP) would also be made difficult by the steep gradient. This is a relatively remote location and there is no strong evidence of demand or need for this employment land. Moreover 8.38ha of vacant and more accessible previously-developed industrial land is available nearby at the Ferndale and Highfield Industrial Estate, Maerdy (Policy NSA 14.1). That site is also closer to the key settlement of Ferndale. There is, therefore, a risk that the NSA 4 employment site will not be delivered.
- 5.3 On the other hand the site only qualifies as strategic by reason of its overall size. The employment site itself would be small and its delivery is not critical to the LDP strategy. There are no representations against the development which could not be resolved at the planning application stage. The allocation as a whole is strongly supported by the Coal Authority as a means of addressing mining legacy risks and hazards on the site. The recreation facility would generally enhance the Rhondda Fach as a place to visit, live and work, with associated economic benefits. Whether or not the development is completed within the life of the LDP would not have significant implications for the overall success of the LDP Strategy. Thus whilst there remains some uncertainty about the implementation of this site and its timing, the continued inclusion of this allocation does not materially affect the soundness of the LDP and it should be retained because of its potential benefits.

*NSA 5 - Former Fernhill Colliery Site, Blaenrhondda*

- 5.4 This large former colliery site is located at the head of the Rhondda Fawr valley and is surrounded by dramatic mountain scenery. Only the valley floor is proposed for inclusion in the Blaenrhondda settlement boundary. That area is mainly occupied by partially restored spoil tips, beneath which the Rhondda River and other watercourses run in culverts. The site is in the hands of a private investment fund which assembles serviced sites for onward sale to developers. It is now proposed to be reclaimed for a large residential development together with extensive open space beyond the settlement boundary. The Coal Authority supports the allocation and remediation of the site for its positive benefits which include addressing the mining legacy and hazards. The proposal is locally controversial and it raises a number of significant issues which have the potential to affect the delivery of the housing.

Site Capacity

- 5.5 The ICP in the submitted LDP suggested that all of the land within the settlement boundary would be fully developed as 400 houses. The LDP text referred to 3 development plateaux. However further masterplanning work by the site owners during the examination suggests that, having regard to ground conditions, levels, and the opening of some culverts, only parts of this land would be occupied by housing (Documents SD05.4.1.1 and SD05.4.1.2). The housing areas within the settlement boundary are estimated by the site owners to have a capacity of only 357 dwellings on 4 sites that total about 9.3ha.

- 5.6 The masterplan proposals equate to an average 39 dwellings per hectare (dph) net density. Gross density would be lower because of the generous open space between and adjoining the housing areas. Nevertheless 39dph exceeds both the minimum 30dph density sought by Policy NSA 10 and the 30-35dph indicated for this site in the submitted LDP supporting text.
- 5.7 In response to the draft masterplan evidence, the Council has proposed in **MAC06** and **MAC41** that the allocation be amended to a range of 350-400 dwelling units. Further amendments are proposed to the supporting text and the ICP by **MAC42**, **MAC43** and **MAC44**. However the draft masterplan is not part of the LDP and there remain potential constraints that could further reduce the site capacity at the detailed design stage.

#### Flood Risk

- 5.8 Whilst parts of the site near the river are within a vulnerable C2 flood risk zone, it should be possible to locate dwellings to avoid this area and the development can be designed to prevent increased surface water run off that may otherwise contribute to off-site flooding. New off-site drainage improvements can also be required as part of the development. There are no objections to the allocation on these grounds from either the Environment Agency Wales or Dwr Cymru Welsh Water.

#### Access

- 5.9 The LDP text recognises access as a constraint to the development. Paragraph 6.26 proposes a primary access route from the A4061 Rhigos Road. Whilst that would involve a steep climb up the hillside from the valley floor, it would provide a convenient route to the Cynon Valley and the A465 Heads of the Valley road. A secondary access is proposed for pedestrians and public transport from Brook Street. Other spine paths and cycle ways such as Coldra Road can link the development to Blaenrhondda. The detail of these arrangements would be a matter for the planning application stage, to include regard to any existing rights of access through the site.
- 5.10 There is scope for variations in the access route to the A4061 and in how other connections are made to the existing roads and paths to the village and subsequently managed, for example by limiting their use to public transport. This would include arrangements for emergency vehicular access and for access from Blaenrhondda to the proposed on-site facilities. There is evidence that the A4061 has to be closed in extreme weather conditions or for road repairs, thereby restricting access from the north to all settlements in the Upper Rhondda Fawr. However it appears likely that the section between the site access and the village to the south could be kept open and/or that alternative emergency access points at lower levels could be used should that not be the case.

#### Demand

- 5.11 This would be a large scale residential development in an area where there has been little recent new building. The Council acknowledges that local land values are low and that there are existing vacant properties in the Rhondda. The availability of local employment has also declined following the closure of the mines and the subsequent closures of several large factories such as Stelco Hardy and Burberry. Many people now travel out of the area for employment or to reach higher level retail and other services. Road access through the Rhondda is currently along congested routes

which can lengthen journey times. These factors contribute to uncertainty as to whether there would be sufficient market demand for the housing and whether the values that could be achieved would support the necessary investment in site preparation, access, drainage and other infrastructure.

- 5.12 On the other hand the site is in the hands of a private investment fund which can be expected to have taken account of these factors in its decision to purchase the site and in the amount paid. At the examination, the landowners confirmed that development at the proposed scale would be viable and that an extension of the allocation beyond the proposed settlement boundary was not essential to its viability. The fund is well-placed to use its own resources to assemble serviced land for onward sale to house-builders and there would be a strong incentive for it to achieve a return on its investment to date. The development would not necessarily require uncertain grant funding for reclamation.
- 5.13 The spectacular setting provides the potential to create a very attractive development with excellent access to open space and the countryside. The stock of existing dwellings in the area is dominated by Victorian terraced houses. There is here the rare opportunity to provide for other types of dwelling which are scarce in the Rhondda and which should encourage residents to move to, or remain in, the area. Whilst no employment provision is proposed on-site, there is a rail service from nearby Treherbert to Pontypridd and Cardiff. Bus services along the valley could be extended into the site. Other LDP proposals should also improve road access to the area via both the Rhondda and Cynon Valleys and should boost the Heads of the Valley economy with new employment opportunities in Hirwaun and elsewhere. This would include employment development in locations that have better access to the strategic road network than could be provided in Blaenrhondda itself, particularly for heavy vehicles.
- 5.14 In the LDP allocation, more than half of the site is indicated as open space. The modest encroachment into the SINC should be capable of mitigation and compensation by other measures to restore and enhance the environment.
- 5.15 The Council expects the site to come forward between 2013 and 2018. This would be subject to monitoring. In the event that there is a lack of progress towards its development for housing by 2015 or that the forecast number of dwellings had significantly reduced, the Council would have the opportunity as part of the LDP Review to revisit the allocation and consider whether any alternative provision should be made elsewhere.

#### Conclusion

- 5.16 The potential benefits of the allocation outweigh the risk that some or all of the development might not be delivered by the anticipated date. **MAC41, MAC42, MAC43, MAC44** and the amended allocation figures for this site in **MAC06** are therefore necessary. As the allocation is sound there is no need to consider alternative uses.

#### *NSA 6 - Former Phurnacite Plant, Abercwmboi*

- 5.17 **MAC45, MAC46, MAC47, MAC48 and MAC49** propose a series of changes to the policy, the supporting text and the ICP. These are necessary for coherency following other changes that were made at the Focussed Changes stage.

- 5.18 The changes include the addition to Policy NSA 6 of a requirement for a primary school. Although disputed by some, it remains possible that a new school will be needed and no alternative site has been suggested. As part of **MAC111**, the Council has proposed that the new Infrastructure Appendix at Appendix 9 of the Matters Arising Changes be worded to clarify that the new school 'may be required depending on the proposed number of housing units' and that contributions will be sought based on identified need in accordance with the relevant Supplementary Planning Guidance. In the circumstances it is appropriate to reserve part of the site allocation for a new primary school. The revised wording means that any contribution to education provision would remain proportionate to the need generated by the development and therefore consistent with national policy.

#### *NSA 7 – Land at Robertstown/Abernant, Aberdare*

- 5.19 This allocation includes a proposed housing development in Abernant on the site of Aberdare General Hospital (which is being replaced elsewhere) and a mixed business, leisure, and community development on adjacent low-lying land at Robertstown. Two important issues for deliverability are: flood risk associated with development on the low-lying land; and the capacity of the site for housing having regard to the need to protect mature trees of public amenity value on the hospital site.

#### Flood Risk

- 5.20 The low lying parts of the site at Robertstown include previously-developed land. An identified flood risk from the adjacent River Cynon resulted in an Environment Agency Wales (EAW) objection that the risk had not been identified to be manageable. A subsequent Flood Consequences Assessment concluded that the on-site risk could be addressed by leaving some areas undeveloped and by raising ground levels where built development is proposed. However raising ground levels over as large an area as the 3.5ha suggested could result in an increased flood risk off-site. That would contravene national guidance in TAN15. EAW considers that the area for built development should therefore be further restricted to an area yet to be determined. The issue of evacuation routes also needs to be addressed.
- 5.21 The submitted LDP does specify how much of the allocated land would be occupied by built development. **MAC50** therefore proposes amended wording for the supporting text to require that the exact area of the development plateau and the evacuation routes to be determined at the detailed design stage. That appears to suitably address the EAW concerns and is recommended to ensure that the allocation conforms with national policy on flood risk management.

#### Housing Capacity

- 5.22 Policy NSA 7 proposes 600 dwellings on the site. The ICP suggests that the site would include approximately equal areas of high, medium and low density development. However the high and medium density areas include significant groups of trees and individual trees, the majority of which are protected by Tree Preservation Orders (TPO). They merit retention to maintain the mature landscape setting of the development. The Council has now reviewed the ICP and has proposed amendments as **MAC51**. Amongst other things these would reduce the open space in order to extend the areas for housing development without increasing the number of dwellings proposed. This would allow more room for the retained trees.

- 5.23 Individual TPO trees can be incorporated in the layout. Excluding the land occupied by the Area TPOs which cover groups of trees would leave a net developable area of about 14ha for the 600 dwellings. However this land is also proposed to accommodate a primary school which would need a site of about 1-2ha. The average residential density would therefore be between about 46 dph and 50dph. However Document EB14 indicates that the low density area may be developed at 35dph and the medium density area at 45dph. If so, the high density area would then need to be developed not at 55dph, as indicated in EB14, but at about 70dph, which would imply mainly flatted development. Based on the areas suggested in the ICP, flats could then account for almost half of all the 600 dwellings proposed. Whilst such higher density development can be appropriate on sites such as this that are well located for access on foot to shops, facilities and public transport, there is a significant risk of a lack of market demand for such a high number of flats. In that event the proposed housing allocation could not be fully achieved. **MAC06** and **MAC50** therefore propose a suitable amendment to the estimated number of dwellings to between 500 and 600 to allow for more flexibility and different forms of development.
- 5.24 In the light of my conclusions regarding housing supply set out in section 6 below, and because other Plan policies allow for development on unallocated land within the settlement boundary, subject to criteria, there is no need to extend the allocation or to add other site allocations.
- 5.25 **MAC06**, **MAC50** and **MAC51** are necessary for the coherence, consistency and soundness of the LDP.

#### *NSA 8 – Land South of Hirwaun*

- 5.26 This large proposed allocation includes 36ha of new employment land and 400 dwellings as the first stage of an intended 1,000 dwelling development. The remaining 600 dwellings would be constructed after the LDP period and consequently are not referred to in the Policy or shown on the Proposals Map. The allocation is important to the regeneration of the economy of the Heads of the Valley. It also includes retail and other local facilities that are lacking in Hirwaun and where existing facilities would otherwise be insufficient to serve the extended population. However the timely delivery of the development could be affected firstly by proposals to extract open cast coal from part of the site before the development of that area takes place, and secondly by the proposed construction of a dual carriageway by-pass through the site as part of improvements to the A465. That is not likely to come forward until late in the LDP period. The development also has implications for nature conservation interests.

#### Prior removal of coal

- 5.27 A planning application for open cast coal extraction on the western part of the allocation site had been submitted but not determined when the hearings concluded. It is not a proposal of the LDP. However, if permitted, it is expected to be completed in time for development to proceed in that area by about 2018. Development on other eastern parts of the allocation could commence at an earlier date. Therefore this need not affect overall delivery of the strategic allocation within the LDP period.

## Natural Habitat

- 5.28 Development on the site has the potential to have a significant effect on a Special Area of Conservation (SAC) to the north west of Hirwaun. Although it is unclear on the ICP, which is not drawn to a recognised scale, the area indicated for employment development significantly exceeds the 36ha allocation. This is to allow for on-site constraints which include the need to protect natural habitats and the presence of a high pressure gas main. The proposed residential areas also allow for constraints including the need for adequate separation between the dwellings and the proposed dual carriageway. **MAC52** would clarify this by adding text which also draws attention to the need for a Habitat Regulations Assessment in relation to the SAC. **MAC54** would clarify an important objective to protect and manage areas of marsh fritillary butterfly habitat within the strategic site.

## Retail Development

- 5.29 It is concluded elsewhere in this Report that there is an adequate overall quantitative provision for convenience shopping in RCT but that there will be additional local needs arising from new development such as that on the strategic site which would not be met by existing provision. The need both for a suitable link between the site and the village, and for the prior occupation of sufficient housing within the allocation site, means that the proposed retail development may not come forward until close to the end of the LDP period.

## Access and Phasing

- 5.30 On the ICP, the proposed housing area lies to the south of the existing single carriageway A465 Hirwaun By-pass. In the light of evidence that access would not be permitted directly to the existing bypass (except at the existing roundabouts) and because the proposed housing would be divided into two areas by the proposed dual carriageway bypass, the Council has prepared the Hirwaun Strategic Site Phasing Report (Document ED26). This suggests a 3-phase development. The Phase 1 Southern Residential Area would be south of the proposed by-pass and accessed from the Trewaun roundabout and/or the A4059 to the east. A temporary access from Phase 1 to the Phase 2 Northern Residential Area could be created from about 2014, pending progress towards implementing the dual carriageway development. Direct access to the existing by-pass could be available from about 2016. Whilst access is less of a constraint on the employment area, that is likely to be developed as Phase 3. That would come forward after any coal extraction and reclamation works and when the dual carriageway is available to provide enhanced access.
- 5.31 The proposed A465 improvement and the extension of the Aberdare by-pass would relieve local roads in the longer term. However there is a lack of evidence that traffic to and from the strategic site could not be accommodated on the road network in advance of the completion of those schemes.
- 5.32 **MAC53** would amend the phasing in paragraph 6.42(b) to omit reference to future housing development beyond the LDP period and to refer to the Phasing Report. **MAC55** would amend paragraph 6.43 to clarify that the phasing of the local centre would relate to the residential development rather than the employment development and to omit an unnecessary reference to completion of the education proposals. Education provision would be needed in any event but its timing would not be in the control of the developers.

- 5.33 This evidence demonstrates that the development is physically capable of being delivered within the LDP period.

#### Site Enlargement

- 5.34 In the light of the above conclusions regarding access and phasing and the conclusions elsewhere in this Report concerning the supply of land for housing, employment and other purposes, there is no need to extend the strategic site allocation or to add other sites.
- 5.35 **MAC52, MAC53, MAC54 and MAC55** are necessary to make the Plan both coherent and consistent with national policy and therefore sound.

#### *SSA 7 Former Cwm Colliery and Coking Works, Tyn-y-nant, Pontypridd*

- 5.36 This large area of derelict land and buildings is in need of reclamation. It is well located to respond to the relatively strong demand for housing development in the Southern Strategy Area. It also presents the opportunity to provide enhanced open space recreation opportunities on the reclaimed land. Including the proposed changes, the allocation suitably addresses the issues that were raised by a previous dismissed appeal for development on the site.

#### Site Capacity

- 5.37 As well as housing, the large site allocation includes extensive open space, and an employment area. Parts of the site are at risk of flooding but the risk can be managed. The Council accepts that a Local Centre shown only on the ICP is not needed and it would be omitted by **MAC69**. The net developable area for residential development is estimated by the landowner at around 21ha but with generous open space provision. The Plan, as amended at the Focussed Changes stage, estimates the number of dwellings as a minimum of 800. However no upper figure is stated which could hamper forecasting and infrastructure planning. **MAC66** therefore provides instead for a range of 800-950 dwellings which appears to be realistic.

#### Viability and Phasing

- 5.38 Land values in this area should be strong enough to support the reclamation of the site. Policy SSA 12 seeks at least 20% affordable housing provision but allows for negotiation should viability be demonstrated to be an issue. Part of the allocation site is owned by the Council and may be eligible for grant funding for reclamation, although this is not guaranteed.
- 5.39 The Council now accepts that it is not necessary to complete remediation of the entire site before development commences. To do so could impact severely on the scheme's viability. Neither is it necessary to require that the proposed school be provided before 75% of the development is completed. The proposed infrastructure appendix refers to the Supplementary Planning Guidance in relation to a requirement for developer contributions towards the education provision. The Council controls the land indicated for provision of a new school if or when it is required.
- 5.40 **MAC68** would amend the phasing requirement so that the only constraint would be that the provision of an additional access from Parish Road would be required before 25% of the development is completed.

### Listed Buildings/Employment

- 5.41 In contrast to the previous appeal proposal, the allocation provides that the listed wooden cooling towers would be retained. The ICP indicates that they would be surrounded by the proposed employment area. However this would be at the heart of the residential development and the landowners are likely to propose an alternative employment location that would reduce the potential for conflict between residential and business uses and would be more attractive as a business location. **MAC67** proposes wording to allow for alternative locations, subject to masterplanning.
- 5.42 **MAC66, MAC67, MAC68 and MAC69** are necessary in the interests of coherence and to support the delivery of the allocation.

### *SSA 3 – Development in the Principal Town of Llantrisant/Talbot Green*

#### *SSA 8 – Mwyndy/Talbot Green Area*

- 5.43 The WSP identifies the area around Llantrisant and North West Cardiff as a Strategic Opportunity Area (SOA) offering potential regional benefits from its sustainable development. LDP Policy CS 2.4 responds with a policy criterion to realise the importance of the Principal Town of Llantrisant/Talbot Green as an area of social and economic growth.
- 5.44 Policy SSA 3 supports development in Llantrisant/Talbot Green that would satisfy stated criteria. **MAC63** would amend the wording of SSA 3.6 from 'Protects' SINCS to 'Manages' SINCS. That is more consistent with the qualified approach in Policy AW 8.
- 5.45 Policy SSA 8 provides the main allocation vehicle to give effect to the SOA and to Policy CS2.4. It proposes a large mixed use allocation comprising 500 dwellings and a primary school, employment land, green space, and a major retail development with associated town centre facilities.

### Cowbridge Road

- 5.46 Issues surrounding retail provision in the proposed town centre are addressed under a separate retail topic below. It is concluded there that the retail allocation is sound in terms of the quantitative and qualitative need and location but that the development should be phased so that the bulk of the additional comparison goods provision does not come forward significantly in advance of the predicted need.
- 5.47 In terms of residential development within the proposed town centre, **MAC72** and **MAC74** would delete unnecessarily specific reference to where these would be accommodated. The overall provision for 100 apartments and town houses would be retained.

### Clun Corridor

- 5.48 Policy SSA 8 refers to the provision of 'informal amenity space in a landscape setting'. Under the heading 'Clun Corridor', paragraph 6.142(e) refers to this area as: 'to be retained as a green corridor with north-south pedestrian and cycle links'. The ICP shows this area as 'open space'. Paragraph 6.143 begins 'Phasing – the proposals for the Cowbridge Road area shall not be completed until the proposals for the Clun Corridor are completed.' However, it is not clear from that wording whether

those proposals refer to the pedestrian/cycle links, the creation of an area of informal amenity space (with some form of public recreational use) or both. Neither is the phasing linked to a single definable completion event for either the Clun Corridor or Cowbridge Road proposals.

- 5.49 In order to address the lack of clarity, the Council proposes **MAC133 and MAC134** which: delete the specific reference to pedestrian and cycle links; add a reference to the management of the green corridor; and delete the phasing requirement. To address the management requirement, a management plan would be sought at the development control stage.

#### Mwyndy Cross

- 5.50 **MAC75** would rectify an error in the submitted LDP by deleting a reference at 6.142(c) to proposed offices west of the Glamorgan Vale roundabout. The ICP instead suggests that the employment area would be on land at Mwyndy Cross to the east of the A4119 and outside the defined settlement boundary. However, whereas Policies CS 6 and SSA 8 refer to the area of employment land as 32ha the area has been re-measured and totals only 24.52ha. The resulting 7.5ha reduction is not critical to the Plan's soundness given the general employment land supply (see Employment section of this report).
- 5.51 The site includes about 9.36ha of greenfield land for which an unimplemented planning permission for B1 business development was granted by the First Minister of the Welsh Assembly Government on appeal on 23 October 2008 (First Minister's Ref No A-PP 158-98-qA694534). The only other significant undeveloped land that is not already in employment/retail use lies to the east (3.47ha) and south-west (1.76ha) of an existing retail warehouse. The total area of undeveloped land is thus only 14.59ha (gross). The net developable area is likely to be limited as the 2008 planning permission includes a condition preventing building close to the site's boundary with the adjacent cemetery and elsewhere requires extensive landscaping requirements. **MAC76** would add a reference to the need to retain a landscape buffer to the cemetery.
- 5.52 Apart from that greenfield land, the allocation site east of the A4119 is otherwise mainly occupied by large established businesses that are outside the B1 use class. These principally comprise Arthur Llewellyn Jenkins (retail warehouse), the Maxibrite briquettes plant (general industrial), and Leekes head office and distribution depot (warehouse and offices). In response to representations from Maxibrite that they have no present intention to cease operations at their site, **MAC76** would remove a reference at paragraph 6.142(f) to the desirability of the removal of the Maxibrite plant. There is no written evidence that the other established businesses intend to leave their premises or that the uplift in values would be sufficient to incentivise and fund their relocation as well as funding site preparation works such as access improvements.
- 5.53 Maxibrite and the other businesses further south all share a narrow access road which is too narrow for large vehicles to pass and which would be unsuitable to serve a more intensive use of the land. The 2008 appeal decision included a requirement for a grade-separated junction to serve the land at the northern end of the site and that access could serve the other greenfield land and the retail warehouse site. However, as the Maxibrite plant stretches the full width of the allocation site, its retention would be likely to obstruct any connection within the allocation site to join that new junction to the southern part of the site (including Leekes). In those

circumstances the Council has acknowledged in correspondence that it would need to review the strategic site boundary to allow alternative access arrangements.

- 5.54 According to LDP Policy CS 6, development would be limited to Class B1. However Maxibrite does not support the depiction of the land on the ICP for only B1 development, preferring a flexible mix of land uses including employment, commercial and residential uses within an extension of the settlement boundary. These factors make it unlikely that the B1 allocation will be delivered in respect of the premises that are already in employment or retail use. The inclusion of the existing businesses within the allocation is therefore misleading as it is unlikely to add to the supply of B1 development.
- 5.55 Whereas the LDP refers to general B1 development on the site, the 2008 appeal decision included a condition to restrict development to Use Class B1 office use only. That greenfield development comprised a low density high quality business park with extensive on-site landscaping. Nothing has been submitted to show that the circumstances which justified the grant of the 2008 permission have changed. The allocation should therefore be limited to B1 office development of the greenfield areas comprised in the 2008 permission, together with the undeveloped land to the east and south west of the Arthur Llewellyn Jenkins retail store. **IC08** would exclude the other existing business sites from the allocation. Any proposals for their redevelopment would be considered under general LDP policies.
- 5.56 The Proposals Map shows the Mwyndy Cross part of the SSA 8 strategic site as lying outside the settlement boundary. The 2008 appeal decision relied heavily on economic arguments for approving a business park at this location in spite of a risk of harm to the landscape. Those considerations still apply and therefore the settlement boundary should not be amended to allow for different forms of development.
- 5.57 **IC08 Amend Policy SSA 8 and associated text, the Proposals Map, and ICP as set out in Schedule B.**

Cefn-yr-Hendy

- 5.58 The development of this site at only 25dph, as proposed in the submitted Plan by a Focussed Change amendment, would conflict with Policy SSA 11 which seeks a minimum net residential density of 35dph in the Southern Strategy Area. It would also make it difficult to achieve the proposed total of 400 dwellings whilst also providing room for necessary screening along the northern edge of the land. **MAC78** would accordingly delete that part of Focussed Change 32. **MAC77** would amend the reasoned justification to clarify that there would be a mixed range of densities and a landscape buffer along the northern edge. It would also expand references to the proposed primary school and local centre to clarify their location and scale respectively.

Extension of the allocation

- 5.59 In the light of conclusions elsewhere in this Report concerning the supply of land for housing, employment and retail development, there is no need to extend the strategic site allocation or to add other sites. Should any material shortfall in provision become evident during the Plan period, that can be addressed by the monitoring and review process.

## Access and Transportation

- 5.60 The Strategic Transport Assessment (2007) Document EB80 concluded that there would be a significant traffic impact on local roads from the combined effects of this and other LDP allocations. However the scale of development on the SSA 8 site has since been substantially reduced. The EB81 Strategic Transport Corridors Infrastructure Needs Studies (2009) identified a need for about £40m of improvements covering the A4119/A473 Corridors to address the capacity problems that might arise from all the new development, and not just the SSA 8 proposals. Policy CS 8 now proposes a strategic transport corridor management system with developer contributions to be sought through a tariff system (that may depend upon the future introduction of a Community Infrastructure Levy – see Transportation section below).
- 5.61 **MAC70** would retain a reference to the strategic site development requiring significant improvements to the transportation network in the area but would remove a specific reference to upgrading junction arrangements on the A4119. Paragraphs 6.142(f) and 6.143 would both retain a specific reference to a grade-separated junction serving the proposed Mwyndy Cross business park. Such a junction arrangement was a condition of the 2008 appeal decision which allowed the development of a smaller business park at that location and would logically also be necessary for the larger scale development now proposed. Transport issues are addressed further later in the Report. However the evidence indicates that the transport implications of the SSA 8 development can be addressed so that the developments can be delivered.

## Open Space, Landscape and Nature Conservation

- 5.62 The principle of business development on the greenfield area at the northern end of the indicated area for employment development at Mwyndy Cross was established by the 2008 appeal decision. The proposed housing development would also be on greenfield land. However that includes an area of housing which was also permitted as part of the 2008 appeal. The **MAC77** modifications to the density of the proposed housing area (as also indicated on the **MAC79** amended ICP) and suitable landscape treatment for the northern edge of that development would satisfactorily mitigate its landscape impact.
- 5.63 Whereas the proposed town centre area includes previously-developed land, the eastern part of the site is greenfield and was defined as a SINC on the Constraints Map. The Report concludes elsewhere that, as SINC's are only given policy effect by the LDP and are the subject of a specific LDP policy (AW 8), they need to be moved from the Constraints Map to the Proposals Map. The Council clarified during the examination that only the western half of the greenfield area would be fully occupied by built development. **MAC71** now proposes that the eastern half would accommodate a link road and 0.5ha of retail development but would otherwise be undeveloped. **MAC79** makes associated changes to the ICP including the modification of the settlement boundary to remove the southern part of the eastern greenfield area from the settlement and add it to the open space.
- 5.64 Whereas the submitted Proposals Map indicated that a park and ride facility would be sited within the SSA 8 allocation (and possibly in the open space within the SINC) and FC 32 proposed that a location be also included on the ICP, the Council now accepts that a park and ride facility is unnecessary. **MAC80** would remove the reference to such provision that was added by FC 32. **MAC79** and **MAC97** delete all

references to park and ride/park and share provision in Policy SSA 20 and on the ICP. **MAC125** would similarly remove the relevant symbol from the Proposals Map. Provision for park and ride/park and share parking would still be made nearby at Miskin under Policy SSA 20.3.

*SSA 9 Former Open Cast Coal (OCC) Site, Llanilid, Llanharan*

Southern Part of Site

- 5.65 The boundary of this very large site includes a former open cast coal mine and the site is divided between northern and southern areas along the line of the proposed Llanharan Bypass. All the development described in Policy SSA 9 would be located north of that line. The stated reason is that the southern part of the site already benefits from planning permission for an extensive development which includes film studios, employment and leisure development and a new M4 motorway junction. That permission was granted as an exception to the prevailing development plan because of its potential economic benefits. However, only a small part of the development has been implemented. That includes several film studios and some road works that would form the first stage of the Llanharan By-pass.
- 5.66 Elsewhere in the LDP the Council has not included committed sites with planning permission as proposed allocations unless, as in Policy SSA 8, significant changes are proposed to the development previously permitted. Policy SSA 9 proposes no such changes in relation to the southern area. Amending the policy to include development of the southern area at this late stage would considerably delay the adoption of the LDP and would be of little benefit if the existing planning permission is to be implemented.
- 5.67 The inclusion of the southern part of the site within the allocation on the Proposals Map but without any relevant policy content is incoherent and unsound. **MAC81** suggests revised wording for the supporting text. However whilst the suggested text is in part a factual statement of the planning position with regard to the existing commitment, it also seeks to direct alternative development proposals for this site. This is not a sound approach. The suggested forms of development have not been the subject of necessary public consultation and environmental assessment processes during the preparation of the LDP.
- 5.68 To make the LDP sound, **IC12** and **IC10** would remove the southern area from the allocation and amend **MAC81**. The site would remain outside the settlement boundary. Inclusion within the settlement boundary could potentially lead to the creation of an unplanned development of new town scale on the basis of permissive LDP policies for development within settlements. Those policies were not intended to provide for developments of this large scale. If the current planning permission is not fully implemented, proposals for alternative forms of development would be likely to remain (as now) contrary to the development plan. They would need to be weighed on their merits having regard to other material considerations such as national policy and the site's planning history. However it is not necessary for this to be stated in the text.
- 5.69 **IC10 Amend MAC81 so that Policy SSA 9 and the subsequent reasoned justification read as shown in Schedule B.**
- 5.70 **IC12 Amend the boundary of the Policy SSA 9 allocation site as set out in Schedule B.**

## Northern Part of Site

- 5.71 Policy SSA 9 proposes a residential allocation of a minimum 1,700 dwellings. All would be in the northern part of the site within the proposed settlement boundary. The settlement boundary excludes an area at the western end of the site which is shown as open space and is appropriately defined. This is the largest single development allocation in the LDP and it does not need to be extended further. It represents over 11% of all the housing proposed in the plan. The submitted LDP does not include an upper estimate for the number of dwellings which creates some uncertainty. However, following masterplanning, a planning application for 1,850 dwellings has recently been submitted by the landowner. There is also an extant permission granted in 2008 for 248 dwellings on adjacent land within the proposed allocation site. That is being constructed as part of the same community with shared infrastructure. It would itself make a significant contribution to overall housing supply but was not accounted for in the submitted LDP either as an allocation or as a commitment.
- 5.72 This is addressed by **MAC81**. With the addition of 248 dwellings, after rounding, the range would therefore be from 1,950-2,100 dwellings. The new range maximum of 2,100 dwellings would be about 14% of all the housing proposed in the plan.
- 5.73 The A473 road currently passes through the villages of Llanharan and Bryncae. LDP Policy SSA 18.2 proposes a by-pass for both villages which would cross the SSA 9 allocation site. The western part of the by-pass has already been constructed in association with the development on the former OCC site. The implementation of some of the approved development on that land is conditional upon the completion of the by-pass to rejoin the existing A473 east of Llanharan. The implementation of other development on that land is conditional upon the construction of the proposed M4 junction. Opening that junction would also draw additional traffic from the A473 and through the allocation site, particularly to and from the east. Junction 35 already serves the Pencoed area to the west.
- 5.74 Policy SSA 9 makes provision for access to the site from the proposed A473 Llanharan By-pass or appropriate alternative access. **MAC84** addresses inconsistencies between the policy and its supporting text. **MAC85** would similarly qualify a requirement in paragraph 6.147 that no more than 25% of the proposed residential development shall be completed before the by-pass is opened by adding the words 'unless it can be demonstrated through an agreed transport assessment that appropriate alternative access can be achieved.'
- 5.75 It would remain to be determined at the planning application stage whether satisfactory access could be achieved without a by-pass. However, I consider that there is a reasonable prospect of a satisfactory solution of the access issue. In the meantime the LDP would still allow the 248 permitted dwellings and between 425 and 462 of the housing on the remainder of the allocation to proceed (total: 675-710 dwellings). Monitoring and Review of the LDP could then address any access issues preventing the construction of the remainder of the allocation, or make alternative provision for housing later in the LDP period.
- 5.76 **MAC82** makes minor and consequential changes to paragraph 6.146. However, as Policy SSA 9 now includes the 248 consented dwellings, **IC11** would amend the figure in 6.146(a) to also include those dwellings.

- 5.77 **IC11 Amend MAC82 so that the first line of paragraph 6.146(a) reads as shown in Schedule B.**
- 5.78 **MAC83** would suitably amend references in paragraph 6.146(b) to the proposed Local Centre.
- 5.79 In addition to the access references (above), **MAC84** would add supporting text to paragraph 6.146 concerning ecological mitigation and enhancement. That would support other policy objectives in the LDP and national policy. A proposed amendment in MAC84 which deletes details concerning the form and location of the Landmark feature adds appropriate flexibility.
- 5.80 Other than amending the allocation boundary to exclude the southern part of the site no other boundary amendments are needed to the Proposals Map to make the plan sound. In particular the western end of the site indicated for open space on the ICP should continue to be excluded from the settlement boundary.

### **Recommendation**

- 5.81 That in order to make the Plan sound the following changes are recommended:

**MAC6, MAC41, MAC42, MAC43, MAC44, MAC45, MAC 46, MAC47, MAC48, MAC49, MAC50, MAC51, MAC52, MAC53, MAC54, MAC55, MAC63, MAC66, MAC67, MAC68, MAC69, MAC70, MAC71, MAC72, MAC74, MAC75, MAC76, MAC77, MAC78, MAC79, MAC80, MAC81 (as amended by IC10), MAC82 (as amended by IC11), MAC83, MAC84, MAC85, MAC97, MAC125, MAC133, MAC134.**

**IC08, IC10, IC11, IC12.**

## **6 HOUSING**

### *Policy CS 4 – Housing Requirements*

- 6.1 Policy CS 4 sets out the figure for the housing requirement in the LDP period. Policy AW 1 sets out how provision will be made for housing – the housing supply. **MAC18** would (amongst other things) clarify the distinction between the two policies by amending the title of Policy AW 1 to 'Supply of New Housing'.
- 6.2 The LDP Evidence Base includes a report for the Council entitled *Assessment of Housing Requirements and Delivery* by Nathaniel Litchfield & Partners (October 2009) (Document EB38). That followed the 2008 publication of the Welsh Assembly Government 2006-based household projections. Those projections reduced the estimated increase in households during the LDP period to 13,700. That was converted to a requirement for dwellings by adding a 5% allowance both for vacancies needed to sustain an efficient housing market and to allow for second homes. The 5% allowance is described by the consultants as one that is 'commonly applied'. Whilst there is a lack of evidence to support the presence of a significant number of second homes in RCT, there is an acknowledged large number of vacant properties in the local market. Some are long term but a proportion of these vacancies will only occur for limited periods when properties change hands and are awaiting new occupiers. The addition of that 5% allowance increased the recommended requirement from 13,700 to 14,385 dwellings. **MAC06** now proposes to change the CS 4 requirement to that figure. I consider that this is broadly

consistent with the national 2006-based household projections to 2021. Whilst it is lower than the 14,850 figure in the regional apportionment exercise, that was itself based on earlier projections. The recently released 2008-based household projections also indicate a modest reduction (by 2023) in the previously-projected increase in households. Moreover the proposed changes to the LDP seek to identify a housing supply figure above the identified requirement.

*Policy AW 1 - New Housing*

- 6.3 Policy AW 1 and the supporting text set out the sources of housing supply that will contribute to total provision. In addition to the strategic site allocations (above) and the local housing allocations (below), these include existing commitments at 1 June 2006 and estimates of the numbers of dwellings to come forward on unallocated sites. **MAC18** would amend the sources of supply listed in Policy AW 1 to delete references to the replacement of unfit and substandard housing and to the maintenance, rehabilitation and improvement of existing housing. This is because such measures, whilst desirable in themselves, would not necessarily provide additional dwellings.
- 6.4 The EB38 Report had recommended a flexibility allowance of up to 10% to take account of the potential non- (or reduced) delivery of some sites. That would equate to an identified supply of 15,820 dwellings. The Council did not accept that the flexibility allowance should be as high as 10%. The provision for 15,270 dwellings in the submitted Policy AW 1 would include a flexibility allowance of 6.3%.
- 6.5 As the result of other changes proposed by the Council during the examination, including changes to the strategic site housing estimates and the reduced number of dwellings within allocation SSA 10.8, **MAC06** would further amend the housing provision figures. The provision for several larger sites would be expressed as a range to include an upper figure. However the amended dwelling supply figures of 15,335-15,685 dwellings proposed by **MAC18** for paragraph 5.6 of the LDP are arithmetically incorrect. The 'LDP requirement for new housing sites' would also be more accurately expressed as the 'LDP provision of new housing sites' to avoid confusion with the housing requirement set out at Policy CS 4. The Council's revised proposals would be within the range of 9,275-9,725 dwellings made up of: 5,000-5,450 dwellings on strategic sites, 1,515 other allocations in the Northern Strategy Area and 2,760 other allocations in the Southern Strategy Area. Adding the 5,911 windfalls/commitments would then result in a total supply of 15,186-15,636 dwellings. That would represent a margin of between 5.6% and 8.7% over the 14,385 dwellings requirement in Policy CS 4. However further changes to the site allocations are recommended below. These would remove or reduce provision at sites where delivery of the forecast number of dwellings is not assured or where the sites are otherwise unsuitable. These changes would further amend the overall figures for housing provision. In particular: -
- o *NSA 9.16 Land at the r/o Ynysfeio Avenue, Treherbert* Subtract 150 dwellings
  - o *SSA 10.13 West of Llechau, Llanharry* Subtract 60 dwellings
  - o *SSA 10.18 Gelliwion Reclamation, Pontypridd* Subtract 40 dwellings

**IC01** would accordingly amend MAC06 in respect of the contribution from the NSA 9 and SSA 10 housing allocations. **IC02** would amend MAC18 in respect of the overall supply in Policy AW 1.

- 6.6 These changes would amend provision to the range of 14,936-15,386. That represents a margin of +3.8% to +6.6% over the Policy CS 4 housing requirement of 14,385 dwellings. That is less than the 10% margin recommended in the EB38 Report. However it follows an examination of the LDP proposals that has removed or reduced sites which were at risk of non-delivery. The remaining supply should be more robust. There are also opportunities to review provision during the LDP period to reflect the monitoring process.
- 6.7 Consequential changes are needed to **MAC06** and **MAC18** to amend Policy AW 1 and the supporting text. However, I consider that the amended housing supply figure would remain sufficiently robust such that no additional housing allocations are needed. The housing requirement already includes an ambitious 50% uplift in past building rates in RCT (and more in the Northern Strategy Area). Additional housing sites in the lower demand areas in the north would be unlikely to be taken up or, if so, would risk undermining the implementation of existing allocations on previously developed land in need of regeneration. Demand in the south is stronger. However extensive housing provision is already proposed in the Southern Strategy Area with major expansions of most settlements that have readily developable land and reasonable facilities. The south would account for about 60% of all housing in the LDP. To now add further housing sites to be developed in the south within the remaining 10 years of the LDP period would create significant pressures on infrastructure and the environment. It would also risk undermining demand for housing both in the Northern Strategy Area and in neighbouring authority areas that are in similar need of regeneration.
- 6.8 During the course of the examination, the Council has prepared a housing trajectory to demonstrate how housing is expected to be delivered over the LDP period (Document SD01.3.1.4). Whilst the trajectory is not to be included in the published LDP and would require updating, it would be a useful tool for monitoring and review. There would be the opportunity to add further sites at the review stage should monitoring identify a shortfall in housing delivery.
- 6.9 The conclusion is that, subject to the recommended changes below and elsewhere in this Report, the identified housing requirement and the provision being made to meet it are both sound.
- 6.10 **IC01 Amend MAC06 so that the final sentence of Policy CS 4 reads as shown in Schedule B.**
- 6.11 **IC02 Amend MAC18 so that Policy AW 1 and the reasoned justification reads as shown in Schedule B.**

*Policies NSA 10/SSA 11 – Housing Density*

- 6.12 The Northern Strategy Area is dominated by a stock of older high density terrace housing. In contrast the typically more recent housing development in the Southern Strategy Area includes significant amounts of low density development. To improve dwelling mix and choice in each area and to contribute to more efficient use of land in the southern area, Policies NSA 10 and SSA 11 respectively seek appropriate reduced minimum net residential densities for new development of 30 dwellings per

hectare in the northern area and an increased 35 dwellings per hectare net density in the southern area.

- 6.13 Policies NSA 10 and SSA 11 provide criteria to vary these densities. However, as each figure is expressed as a minimum, criteria are only needed to cover the relaxation of that minimum figure to exceptionally permit lower density development. **MAC57** and **MAC90** would accordingly amend the wording of each policy along these lines and are recommended as being necessary to the coherence of the policies and the soundness of the LDP.
- 6.14 A comparison between the density minima, the dwelling estimates for the site allocations, and the site areas given in Appendix 1 nevertheless suggests potential inconsistency in that many allocated housing sites appear to have densities below the identified minima. This is compounded by the omission from the submitted LDP of a definition of net density, a term which can be subject to wide interpretation. However, **MAC122** would add definitions of gross and net density to the Glossary. On this basis, and taking the Appendix 1 site areas as gross figures, the net densities for the site allocations would be generally consistent with Policies NSA 10 and SSA 11. Subject to comments on individual site allocations, the forecast dwelling numbers from the site allocations are sufficiently robust.
- 6.15 Because of the changes to the allocations, consequential changes will also be needed to the supporting text of Policies NSA 9 at paragraph 6.44 and SSA 10 at paragraph 6.148 to include the further amendment of **MAC89** by **IC16**.
- 6.16 **IC05 Amend MAC56 so that the third sentence of paragraph 6.44 reads as set out on in Schedule B.**
- 6.17 **IC16 Amend MAC89 so that paragraph 6.148, line 6 reads as set out in Schedule B.**

*Policy NSA 9 and Policy SSA 10 Housing Allocations*

- 6.18 In the submitted LDP, Policy NSA 9 would allocate 22 sites for housing within the Northern Strategy Area, providing around 1,515 dwellings. Policy SSA 10 would allocate 19 sites in the Southern Strategy Area to accommodate an estimated 2,890 dwellings. Many of the representations opposing these allocations either relate to modest adverse impacts that would be outweighed in the public interest by the benefits of the development, or they concern matters which should be capable of being satisfactorily addressed at the planning application stage. The allocations considered below raise substantive issues which need to be addressed.
- 6.19 In light of this Report's conclusions regarding the supply of housing land there is no need to extend any of the allocations or add other sites.

Northern Strategy Area

- 6.20 In relation to *NSA 9.15 Old Hospital Site and School Playground, Treherbert*, whilst this is a cleared previously-developed site within the settlement and close to facilities, it is acknowledged that its development for as many as 50 dwellings would be challenging having regard to the steep slopes, the presence of protected trees and their effect on achieving a suitable access into the site. However these factors should not preclude residential development and much depends on design and layout considerations such as the type of dwellings. As the residential allocation is sound

there is no merit in pursuing alternative forms of allotment, tourism and employment development.

- 6.21 Turning to *NSA 9.16 Land at the end of Ynysfeio Avenue, Treherbert*, that site of 6.43ha is proposed for a large development of about 150 dwellings. Whilst parts of the site are on natural ground, much of the site comprises a platform constructed of reclaimed colliery spoil half way up the relatively steep valley side. There appears to be a considerable depth of fill and the platform has steep sides. The evidence submitted to the examination does not show that the whole site is suitable for housing or that it could accommodate as much housing as is now proposed. The Council has suggested in **MAC104** that words be added to LDP Appendix 1(A)NSA.16 to the effect that: 'Ground investigations for stability and contamination are needed before development takes place.' However, that risks that much of the site could be found to be unsuitable by reason of land instability. The delivery of the site thus cannot be relied upon.
- 6.22 The site is already in use as informal recreational open space and is one of only a few level areas of green space in the Upper Rhondda Fawr. In the 2007 Open Space and Play/Sport Area Provision Report (Document EB51) the site was recorded as existing open space when determining the distance residents had to travel to access open space. Moreover the site was previously allocated for active formal recreation in the Rhondda Local Plan 1991-2006(1998). The nearest formal sports ground on the other side of Baglan Street is likely to be crossed by the proposed Policy CS 8.2 Gelli-Treorchy Relief Road with potential implications for its ability to continue to function as a formal sports ground. The EB51 Report concluded that further field survey work would be necessary to assess compliance with the NPFA standards for open space provision. However there is no evidence of such field survey work having been carried out. In these circumstances, it is not possible to conclude on the limited submitted evidence that there is presently a shortage of formal or informal open space in the local area, such as to justify a renewed leisure allocation. However deletion of the housing allocation would also mean that a Policy AW 7 type of assessment of the open space value of the site would be necessary before it is considered further for development.
- 6.23 A further concern is that, as a large site, the allocation of the NSA 9.16 site could undermine the delivery of the nearby NSA 5 strategic site at the Former Fernhill Colliery Site, Blaenrhondda in an area which is acknowledged to have relatively weak demand for housing. The NSA 5 site also faces significant access and infrastructure costs which depend upon achieving a sufficient scale of development to fund them.
- 6.24 For the above reasons, the delivery of this site cannot be relied upon or, if it is delivered, it could harm the delivery of the larger nearby strategic site. The site should be deleted as an allocation by **IC04** and **MAC104** is not required. **IC05** would make consequential amendments to **MAC56** and the related housing figures. However, as it remains possible that it could be demonstrated that the land is sufficiently stable, and because other sites are likely to be needed if the NSA 5 site is not implemented, the site should remain within the defined settlement boundary.
- 6.25 *NSA 9.18 Site off Cemetery Road, Treorchy* is another site occupied by reclaimed colliery spoil. It is proposed to be allocated for an estimated 80 dwellings. However it is a smaller site than NSA 9.16 and it occupies a valley floor site whereas NSA 9.16 is located high on a valley side. The Council's proposed **MAC105** would add to Appendix 1(A)NSA.18 the words 'Ground investigations for stability and contamination are needed before development takes place' and is recommended in

the particular circumstances of this site. Whilst delivery is not certain, there is a reasonable prospect of the development being deliverable and the site's retention in the Plan is sound.

- 6.26 **IC04 Delete NSA 9.16 Land at the end of Ynysfeio Avenue, Treherbert from Policy NSA 9 and the Proposals Map. Delete Appendix 1(A) NSA.16.**
- 6.27 **IC05 Amend MAC56 to reduce the total housing figure for Policy NSA 9 at paragraph 6.44 from 1,515 to 1,365 and the number of housing sites from 22 to 21.**
- 6.28 With the exception of NSA 9.16, (see above) the inclusion of the other NSA 9 sites would not prevent the LDP from being a sound plan.

#### Southern Strategy Area

- 6.29 *SSA 10.2 Trane Farm, Tonyrefail.* With an estimated capacity of 700 dwellings, this is one of the largest housing sites in the LDP. The allocation site includes land within a designated Site of Special Scientific Interest (SSSI). However there is sufficient land available within the allocation to deliver the estimated number of dwellings without building within the SSSI. The layout and design of the site can be required to protect these areas for their scientific value, as provided for by Appendix 1(A)SSA.2. **MAC101** would add wording to Appendix 1(A)SSA.2 that would provide for the retention and management of suitable wildlife corridors both between the areas notified as SSSI and from the SSSI areas into the countryside to the north and is necessary. In this case the protection and management of the SSSI is more likely to be achieved by its inclusion within the surrounding allocation than by its exclusion.
- 6.30 *SSA 10.6 Land east of Mill Street, Tonyrefail* is a large, underused, site close to the centre of Tonyrefail which is proposed for an estimated 100 dwellings as a mixed development that also would include 2,000 sq m of retail development under *Policy SSA 15.3 Retail Allocations*. Appendix 1(A)SSA.16 also refers to provision for a replacement for the existing clubhouse on the site. Appendix 1(A) and Appendix 1(C) both refer to access being taken from a new link road between Mill Street and High Street. That link road is not included separately as an LDP proposal and neither is it shown on the Proposals Map. Its final form, location and role within the highway network would therefore need to be considered at the planning application stage. Whilst there would be ownership and other difficulties in seeking to connect that link road to Mill Street at the point of the existing access to the clubhouse, there is potential to take access further south in combination with the proposed SSA 10.9 housing site (see below).
- 6.31 *SSA 10.7 Land at Gwern Heulog, Coed Ely* would allocate greenfield land for the extension of a recent housing development to provide an estimated additional 150 dwellings. Whilst there would inevitably be an increase in vehicle movements on those existing roads, the submitted Transport Assessment concludes that there will not be an unacceptable impact on the highway network subject to mitigation measures which might include traffic calming.
- 6.32 There are only a few facilities within easy walking distance. However, as compared with many valley settlements, Coed Ely appears to have relatively good access to services, facilities and employment by car or by frequent bus services. The site's accessibility by public transport is compromised to some extent by the distance from the nearest bus stops and by the gradient for those walking uphill to the site from

the nearest bus route. However there is the opportunity to create a shorter walking route using the public footpath to the west of the site. The site is within cycling distance of a range of facilities along the relatively flat valley floor. Only the gradient on the final approach may deter some cyclists. The submitted Landscape Appraisal reasonably concludes that the development would have a minor adverse impact on the landscape but there is scope for some landscape mitigation in the design of the scheme.

- 6.33 *SSA 10.8 Land rear of Tylcha Wen Terrace, Tonyrefail.* In the submitted LDP, this 4.8ha site is proposed for a development of 165 dwellings at an average gross density of about 34dph. However that allocation does not take sufficient account of: the very steep slope (with associated difficulties in providing vehicular access, adequately level development platforms, and usable outside amenity space); the high retaining wall along the road frontage; the presence of attractive mature trees on the lower parts of the site; and the serious adverse impact that development of the upper parts of the site would have on the skyline as seen from the valley floor. During the examination the Council reconsidered the site's capacity. **MAC87** would accordingly reduce the site capacity to a more realistic 30 dwellings. The associated amendment to the allocation would restrict it to a much reduced site area on the lower part of the site behind existing development at Tylcha Wen Terrace.
- 6.34 **MAC102** would amend the site area in Appendix 1(a)SSA.8. However further consequential changes are also needed to the site description at Appendix 1(A)SSA.8 which continues to describe the original larger allocation site. Moreover, in that regard, the Council is not proposing any change to the settlement boundary in this vicinity. This would be likely to result in repeated attempts to develop other parts of this prominent and open hillside and especially to develop along the ridge line and in the vicinity of the mature trees at the foot of the slope with serious adverse landscape consequences. Those parts of the site not within the proposed allocation clearly appear as part of the countryside and they make a strong positive contribution to the landscape setting of Tonyrefail. They should be excluded from the settlement boundary. **IC13** would make the relevant changes.
- 6.35 **IC13 In respect of Policy SSA 10.8, amend MAC87 so that the Proposals Map and the Appendix 1(A)SSA.08 description are as set out in Schedule B.**
- 6.36 *SSA 10.9 Land part of Tylcha Ganol Farm, south of Mill Street, Tonyrefail.* This site has a much gentler slope than the original SSA 10.8 allocation nearby. Whereas Appendix 1(A)SSA.9 refers to the need for a significant improvement of the access from Mill Street (and MAC118 would correct a typographical error in that reference), widening the existing narrow lane as it climbs the hillside would be difficult and would be likely to result in the loss of mature trees and a need for retaining walls which could be unsightly. However the Plan is sound as the Appendix wording would not preclude an improved access from Mill Street in association with a new link road from Mill Street to the SSA 10.6 site (see above). That would allow access to the edge of the site at a lower level with an internal spine road that avoids the existing country lane.
- 6.37 *SSA 10.10 Land East of Hafod Wen and North of Concorde Drive, Tonyrefail.* This allocation was reduced at the Focussed Changes stage to exclude the adjoining SSSI land which forms part of a larger SSSI. There are difficult management issues in this urban fringe area and in particular there have been reported problems with fires on open land. However that does not demonstrate that the SSSI designation lacks merit. Neither does the LDP determine the land's designation. The circumstances are different from those at site SSA 10.2 Trane Farm where a small area of SSSI land

would be surrounded by development and would be better protected if it is managed within the large allocation site. To reincorporate the SSSI land in the SSA 10.10 allocation would be more likely to harm than to protect whatever special features it has. For similar reasons **MAC86** is recommended which would also exclude the SSSI land from the settlement boundary. That would be more consistent with national and LDP policy objectives to protect the natural environment. **MAC103** would suitably amend the site description at Appendix 1(a)SSA.10.

- 6.38 *SSA 10.13 West of Llechau, Llanharry.* This site is constrained by several factors which mean that it is unlikely to deliver as many as the 150 dwellings proposed. It is in divided ownership and a landowner of the western part of the site does not wish his land to be developed. There are also two copses on the land. The copse to the west is a particularly attractive landscape feature in the street scene. Issues of land stability from previous mining activity also make some parts of the proposed allocation less suitable for housing development. A recent planning application consequently applies to just part of the proposed allocation and proposes a development of only 88 dwellings. Given the above constraints, this is likely to represent the total amount of housing that the site would deliver. Reducing the allocation would mitigate the adverse landscape impact. The SLA boundary should be amended to include that part of the area to the west of the amended allocation site that is to be removed from the allocation site and was also recommended in Document EB49 for inclusion in the SLA. The settlement boundary and the Green Wedge boundary should be amended to accord with that revised SLA boundary. **IC14** would make the relevant changes.
- 6.39 **IC14 Amend Policy SSA 10.13, the associated reasoned justification, Appendix 1(A)SSA.13 and the Proposals Map as set out in Schedule B.**
- 6.40 *SSA 10.18 Gelliwion Reclamation, Pontypridd.* This site comprises a reclaimed colliery spoil tip on a very steep slope. Having regard to the steepness of that slope and the lack of evidence of ground stability investigation to confirm its suitability for housing development, the delivery of the 40 dwellings allocated is not assured and its inclusion in the LDP is not sound. **IC15** would delete the site. However, in case further investigations should demonstrate the site's suitability for development, the site should be retained within the settlement boundary and any future proposals for its development considered in accordance with general LDP policies.
- 6.41 **IC15 Delete housing allocation SSA 10.18 Gelliwion Reclamation, Pontypridd from the Policy, Appendix 1(A)SSA.18 and the Proposals Map.**
- 6.42 *For SSA 10.19 Land South of The Ridings, Tonteg and East of Station Road, Church Village,* **MAC119** would add words to Appendix 1(A)SSA.19 to clarify that access would be to the Nant Celyn roundabout and not to another point on the Church Village Bypass.

### **Recommendation**

- 6.43 That in order to make the Plan sound the following changes are recommended:

**MAC06 (as amended by IC01), MAC18 (as amended by IC02), MAC105 in relation to NSA 9.18, MAC56 (as amended by IC05), MAC57, MAC86, MAC87 (as amended by IC13), MAC 89 (as amended by IC16), MAC90, MAC101, MAC102, MAC103, MAC119, MAC122  
IC01, IC02, IC04, IC05, IC13, IC14, IC15, IC16**

- 6.44 The following minor changes which the Council wishes to make to improve the clarity or accuracy of the Plan are endorsed:

MAC118

## 7 AFFORDABLE HOUSING

- 7.1 The relevant LDP policies are set out in: *Policy CS 5 – Affordable Housing; Policy AW 3 – Exception Sites for Affordable Housing in the Countryside;* and for the Northern and Southern Strategy Areas by *Policies NSA 11/SSA 12 – Affordable Housing. Policy AW 4 – Community Infrastructure & Planning Obligations* includes reference to planning obligations seeking affordable housing. Significant changes were made to these policies and their supporting text by FC 2 and FC 5. Changes to the policies proposed by the Council are set out in **MAC07, MAC20, MAC21, MAC58, and MAC91.**

### *Affordable Housing Need and Target Provision*

- 7.2 Policy CS 5 includes an indicative target of 1,440 affordable dwellings over the life of the LDP. To achieve this, Policies NSA 11/SSA 12 seek to provide at least 10% affordable housing on sites in the Northern Strategy Area and at least 20% on sites in the Southern Strategy Area. Provision may be made either on- or (exceptionally) off-site. Policy AW 4 allows that planning obligation requirements may be varied in some circumstances where they would make the development economically unviable.
- 7.3 The *Background Paper: Affordable Housing Target* (Examination Document ED25) was produced during the examination. As a result, **MAC07** would increase the Policy CS 5 target to 1,770 dwellings. The revised supporting text would provide separate figures for the Northern (415) and Southern (1,355) Strategy Areas. Reference is also made to the potential for 600 dwellings to be delivered outside the planning system through the social housing grant. However this assumes the continuation of the grant at its recent level. That is not assured but it is in any event beyond the scope of the LDP. **MAC07** would also add to the CS 5 supporting text a cross reference both to the above background paper and to Supplementary Planning Guidance on the provision of affordable housing.
- 7.4 In response mainly to representations by the Welsh Assembly Government, Document ED25 sought to address the identification of need beyond 2011. Housing register waiting lists and WAG household projections were compared to the local supply of affordable housing, net lets and transfers. Whilst that suggests an annual shortfall of 132-287 affordable dwellings (significantly less than the annual 870 dwelling shortfall identified in the Local Housing Market Assessment (LHMA)), it does not take account either of any backlog in provision or of the 'felt' need by non-home owning households that was identified in the LHMA surveys. Need and housing markets are also likely to change over the LDP period.
- 7.5 In these circumstances there is not a reliable basis for precisely estimating need over the full LDP period. However the evidence suggests that need is unlikely to fall below the identified target for affordable housing provision. Whilst a shortfall is consequently likely, the evidence does not suggest that an upward revision of the supply target would be achievable in current market conditions without a significant increase in grant subsidies. That cannot be assumed given the general economic circumstances nationally. It is possible that changing market conditions could affect

both the need for, and supply of, affordable housing. Monitoring of supply and an updating of needs estimates can be carried out during the course of the LDP period.

### *Viability*

- 7.6 **MAC21** would amend the supporting text to Policy AW 4 in respect of the matters to be taken into account when determining whether the affordable housing requirements should be varied for economic viability reasons. There is an apparent tension between the **MAC21** provisions and the wording of Policies NSA 11 and SSA 12 which express the percentage requirements for affordable housing provision as 'at least' 10% or 20%. These thresholds have been reduced significantly from those in the Deposit Plan and the submitted evidence suggests that they are likely to be viable in most cases. However the revised wording of Policy AW 4 properly sets out the circumstances where there may be a variation to the normal policy requirement. The retention of the 'at least' wording nevertheless does reasonably allow for the upward negotiation of affordable housing provision in changing market conditions.
- 7.7 **MAC21** includes a list of information to be required from a developer to support a claim that the development would be unviable. However there is an over-emphasis on the importance of the acquisition price of the site. Consideration may also be needed of the implications of future changes in values and costs, particularly on sites that will not be developed until much later in the LDP period when a viability assessment could have very different results, whether upward or downward. These considerations have the potential to significantly affect the delivery of affordable housing in relation to the Plan's identified target. The **MAC21** wording would therefore be amended by **IC03**.
- 7.8 **IC03 Amend MAC21 in respect of the reasoned justification to AW 4 as set out in Schedule B.**

### *Thresholds*

- 7.9 **MAC58** would reduce the NSA 11 threshold for affordable housing provision in the Northern Strategy Area from 30 units to 10 units and would further develop the criteria for seeking on- and off-site provision. **MAC91** would similarly amend Policy SSA 12 and its supporting text for the Southern Strategy Area but with the 30 unit threshold reduced to 5 units. This reduction in thresholds was discussed at the examination hearing. It follows advice in the EB37 viability study that smaller developments could support some affordable housing provision. Whilst there was some disagreement as to whether unit costs on small developments are higher than on larger developments, the smallest developments would remain below the thresholds for provision and, having regard to the different percentage requirements in the north and south, the minimum requirement for provision above the threshold would be only 1 unit out of 5 in the southern area and 1 unit out of 10 in the northern area.
- 7.10 Whatever the scale of development, the other MAC changes do provide for variations in the requirements where there is a proven effect on economic viability and they also allow for off-site provision or contributions in exceptional circumstances. Lowering the thresholds as proposed would make a significant addition to provision and is necessary given the likely substantial shortfall in provision against identified needs.

### *Exception Sites*

7.11 Following discussion at the hearing sessions as to where Policy AW3 should apply, **MAC20** seeks to define the 3 rural settlements in RCT. However Planning Policy Wales was subsequently amended in July 2010 such that the provision of exception sites for affordable housing can apply in the countryside outside any settlement boundary and is not limited to settlements in rural areas. **MAC20** is therefore no longer required for the submitted Policy AW 3 to accord with national policy and is not recommended. The number of affordable dwellings that could potentially be provided on exception sites would be greater than if it were confined to those 3 settlements. However the actual number is impossible to forecast given the wide variety of economic and other circumstances across RCT and the likely need for grant support in many locations.

### *Conclusion*

7.12 Overall, and subject to the following necessary changes, the LDP provision for affordable housing would generally accord with national policy objectives and the Plan would otherwise be sound in respect of affordable housing provision.

### **Recommendation**

7.13 That in order to make the Plan sound the following changes are recommended:

**MAC07, , MAC21 (as amended by IC03), MAC58, MAC91**

**IC03**

## **8 EMPLOYMENT**

### *Employment Land Requirements*

- 8.1 The *Employment Land Topic Paper (2007)* (Document EB84) identified that at October 2006 162ha of employment land had planning permission and that, including employment allocations in Local Plans, (but not including other vacant employment premises and land) a total of 274.28ha of employment land was available. The Paper identified a need for 300ha of employment land over the 15 year LDP period. This was based mainly on past trends averaging 15ha take up per annum but with an additional one third margin to increase the annual rate to 20ha.
- 8.2 The evidence was studied in much more detail by consultants Nathaniel Litchfield and Partners in the *Employment Land Review (2008)* (the ELR)(Document EB41). The ELR concluded amongst other things: that there would be a slowdown in future employment growth rates compared to the recent past; that 33ha of new employment land would be needed based on employment projections; but that, in the light of policy aspirations for an enhancement and strengthening of the local economy and the role of RCT within South East Wales, this should be increased to a requirement for 50ha. The Report included a suggested list of potential employment development locations which amounted to 157.56ha from which this 50ha might be drawn.

### *Policy CS 6 – Employment Requirements*

8.3 Notwithstanding the identified requirement for 50ha of land, Policy CS 6 nevertheless proposes 118ha of employment allocations. As the result of re-measuring the SSA 8 site, **MAC136** would amend the figure for that site from 32ha to 24.5ha. The total of employment allocations would therefore be reduced from 118ha to 110.5ha. Nevertheless, this provision still significantly exceeds that recommended in the ELR. Moreover it does not include other unimplemented or partially implemented commitments. Because of this apparent over-supply, particular consideration is given below to the major commitments and the proposed allocations in order to ensure that the allocations are justified and would accord with the LDP strategy.

#### Existing Commitments

8.4 Existing major commitments include 29.33ha of employment land remaining at the Pencoed Technology Park (Sony), and 43ha remaining at Llanilid (OCC). Those sites were both on the ELR list of potential allocation sites and thus were regarded then as additional to existing employment provision as assessed in 2006. Adding those committed sites to the Policy CS 6 total would increase provision from 110.5ha to 182.5ha - compared to the need for only 50ha identified in the ELR. Neither figure takes account of the additional scope to provide for employment by the redevelopment of other existing vacant employment sites and through other smaller committed sites with planning permission.

8.5 In purely quantitative terms, the provision would appear to exacerbate the over-supply of employment land that was identified in the ELR. However, in order to establish whether the new LDP allocations are sound, consideration needs to be given to:

- whether reliance on the existing commitments and the redevelopment for employment of existing employment sites would be sufficient to meet the strategic objectives of the LDP; and
- whether the potential over-supply would undermine either those objectives or wider policy objectives.

8.6 The committed Pencoed employment site is located at the extreme south west corner of the County Borough. It adjoins other employment land outside the RCT boundary. The site is immediately available and the location adjacent to an M4 junction is convenient for Bridgend and the wider capital region. That should make it attractive to inward investors. However it would not provide for a wide range of employment types and it is not close to the Principal Towns and key settlements within RCT, other than the key settlement of Llanharan which is more closely adjoined by the nearby Llanillid site which also has considerable potential to provide employment.

8.7 Only part of the committed Llanillid site is proposed for conventional business park development. Other areas are proposed for film studio, leisure, hotel and hospital development. Such development would provide very significant service employment. However its delivery is dependent on major investment in infrastructure including a new motorway junction and other new roads. The cost of those works and uncertain demand for the proposed uses makes the delivery of that development and its timing uncertain. Only a limited amount of development has been implemented so far and it has been necessary to renew the outline planning permission. Were the International Business Park envisaged in the WSP to be developed on another site in

South East Wales, as was proposed in the withdrawn Cardiff Local Development Plan, that could also affect the development prospects of this site.

- 8.8 For both committed sites, the specialist type of employment proposed and the sites' location in one corner of the large RCT County Borough, coupled with the particular access constraints at Llanillid, means that these two sites cannot be relied upon to meet all the RCT employment requirements or to regenerate the Northern Area. Further employment allocations are therefore justified elsewhere in RCT.

*Southern Strategy Area Employment Allocations*

*Policy SSA 8 – Mwyndy/Talbot Green Area (Employment aspects)*

*Policy SSA 14 – Employment Allocations*

- 8.9 *SSA 8 Mwyndy/Talbot Green Area.* In the Strategic Sites section of this Report (see above) it is concluded that only about 15ha of the remaining 24.5ha of employment in the SSA 8 allocation is likely to be delivered as new employment land. It is also concluded that the greenfield land is only suitable for B1 office development. Changes are recommended in **IC08** in Schedule B which would accordingly reduce the allocation to 15ha of greenfield land for B1 office use.
- 8.10 Of the SSA 14 local employment allocations, the *SSA 14.1 South of Llantrisant Business Park* is a small greenfield site of 4.85ha on sloping land adjoining a SSSI and a SINC, and partially overlapping a Conservation Area. **MAC106** would amend the site description at LDP Appendix 1(b)SSA.1. However the site's development for B1, B2 and B8 uses would be likely to require significant earth moving to create large level development platforms. The resulting built development would be prominent on its elevated site where it would risk unacceptable harm to the character and appearance of its surroundings and to the setting and special features of the adjoining land. Having regard also to the PPW preference for previously developed land and to the general oversupply of employment land, particularly in this south eastern part of the County Borough, the inclusion of this new greenfield site would not accord with either national policy or the LDP strategy. The allocation should be deleted by **IC17** together with the Appendix 1(b) description. **MAC106** is therefore not required.
- 8.11 **IC17 Delete SSA 14.1 South of Llantrisant Business Park. Delete the Appendix 1(b) description of that site. Make a consequential amendment to the figures for employment provision at paragraph 6.159 and paragraph 4.51. Delete the allocation from the Proposals Map.**
- 8.12 The nearby large *SSA 14.2 Coed Ely, Tonyrefail* site is allocated for B1 uses as well as for B2 uses that could not be readily accommodated on some of the other sites. It is a former mining site in need of regeneration and should be retained as an allocation.
- 8.13 At only 1.47ha, the *SSA 14.3 Land South of Gellihirion Industrial Estate, Pontypridd* site is small and not significant to overall supply. It is surrounded by other employment uses and is unlikely to be suitable for other forms of development, so should be retained as an allocation.
- 8.14 Several other unsuitable employment allocations in the Taf Ely Local Plan have been deleted or are proposed for housing, retail or other development, as are a number of sites previously in employment use.
- Alternative Employment Sites in the Southern Strategy Area

- 8.15 Several other alternative sites have been proposed for allocation for employment development. However these are not needed due to the general oversupply of employment land.

*Northern Strategy Area Employment Allocations*

*Policy NSA 8 – Land South of Hirwaun (Employment aspects)*

*Policy NSA 14 - Employment Allocations*

- 8.16 Whilst there remain extensive committed or proposed employment sites in the Southern Strategy Area, they would not be well located to promote the regeneration of the Heads of the Valley area. The Northern Strategy Area employment sites are all in Heads of the Valley locations where there is clear evidence of a local need for economic regeneration and for new employment opportunities which would support new residential development and reduce the need for people to travel out of the area for work.
- 8.17 The 36ha employment allocation proposed within the *Policy NSA 8 Land South of Hirwaun* strategic site allocation would support the key settlement of Hirwaun and the WSP and LDP strategies for the regeneration of the Heads of the Valleys. It would benefit from the proposed improvement of the adjacent Heads of the Valleys road to dual carriageway status with faster links to England and to West Wales. However, prior open-casting to remove coal from the employment site and the likely delivery timetable of that road improvement means that the employment site is unlikely to be commenced until late in the LDP period. Neither is a development of this scale likely to be completed within the lifetime of the LDP. Therefore the NSA 8 allocation is unlikely to create local problems of over-supply during the LDP period.
- 8.18 The NSA 6 strategic site allocation at Abercwmboi would include 5.9ha of employment as the logical completion of development of the adjacent Aberaman Industrial Park. That development has successfully attracted inward investment.
- 8.19 The NSA 7 strategic site allocation would include 3.7ha for B1 employment and leisure on the Robertstown part of the site which is close to the centre of the Principal Town of Aberdare. As it is also close to the railway station and the Aberdare by-pass, it is particularly well located for access by a choice of means of travel. However the area for built development is likely to be reduced at the application stage owing to flood-risk constraints that would also be likely to make this previously-developed site unsuitable for any alternative more vulnerable development.
- 8.20 *NSA 14.1 Ferndale and Highfield Industrial Estate, Maerdy* comprises 8.38ha of cleared brownfield land formerly in employment use and close to the key settlement of Ferndale in the Upper Rhondda Fach. It includes the former 4ha Chubb factory site where a proposal for residential development was dismissed on appeal in 2008 owing to a need for employment land in the Rhondda and prematurity in relation to the preparation of the LDP. In Document EB39 '*Economic Prospects and Employment Land Implications*' (2006) consultants had recommended the site for mixed use development. LDP Policy NSA 16(3) would allow for an 'employment-led mixed use scheme' on this and other NSA 14 allocated sites subject to stated criteria at NSA 16(1).

- 8.21 *NSA 14.2 North of Fifth Avenue, Hirwaun Industrial Estate, Hirwaun* comprises 4.17ha of land on the edge of the Estate. *NSA 14.3 Land at former Mayhew Chicken Factory, Trecynon* comprises 2.88ha of a brownfield former employment site in the Cynon Valley with good road access. It would be unsuitable for more vulnerable residential development owing to flood risk and a poor relationship to existing settlements. Both of these sites could provide employment opportunities in advance of the nearby NSA 8 strategic site that would contribute to the regeneration of the Heads of the Valleys area.
- 8.22 *NSA 14.4 Cae Mawr Industrial Estate, Treorchy* is a 3.6ha brownfield former industrial site proposed for B1/B2 development. It is the only employment allocation proposed in the Upper Rhondda Fawr. Whilst the site had been suggested for employment development in the EB39 Report, that Report also acknowledged the need for investment on this site and the weak local market. The viability of a market-driven employment development on this site is thus questionable. However, the NSA 14.4 employment allocation would not prevent the Cae Mawr site from being considered for an 'employment-led mixed use scheme' under LDP Policy NSA 16. The supporting text to that policy seeks to exclude from such schemes housing or retail uses with 'a significantly smaller employment element'. However the deletion of the relevant text is recommended below in relation to that policy. The allocation of the Cae Mawr site for employment use is sound and other LDP policies would allow for employment-led mixed use.

#### *Overall Conclusion on Employment Land Allocations*

- 8.23 It is clear that the provision for employment land in the County Borough will significantly exceed likely demand over the life of the Plan, even after the changes recommended in this report which would reduce the extent of the site allocations in the LDP. However, for the reasons set out above, and subject to the recommended changes, the remaining employment site allocations are sound and would accord with the LDP strategy. The over-supply would provide a choice of sites and enhance flexibility.

#### *Re-Use of Existing Employment Land and Premises*

*Policy AW 11 - Existing Employment and Retail Uses*

*Policy NSA 15 - Small Industrial and Business Sites*

*Policy NSA 16 - Re-development of Vacant/Redundant Industrial Sites*

- 8.24 *Policy AW 11 – Existing Employment and Retail Uses* applies to the re-use of such sites for other purposes. **MAC26** would clarify that the test marketing of employment sites should be for employment purposes and the test marketing of retail sites for retail purposes. **MAC27** would amend paragraph 5.62 to clarify the circumstances in which a test marketing period longer than 12 months might be required. **MAC116** would add text to paragraph 5.64 to clarify the type of 'sui generis' uses that AW 11 5(c) would support.
- 8.25 The wording at AW 11 (5)(a) and paragraph 5.64 refers to the maintenance of a 'landbank' of employment sites suitable to accommodate a range of employment uses across the plan area. The make up of that landbank is not defined in the LDP. However, in correspondence with the Inspector, the Council has confirmed that the Landbank "*is not a list of sites that will be protected for employment uses over the plan-period. It is a list of sites that are allocated for employment, have unimplemented consent for employment, are existing operational employment sites*

*or were last used for employment purposes". The Council acknowledges that: "many of the sites that will be included on the employment landbank are no longer suited to the needs of modern employment uses (B1, B2 and B8) and it is highly unlikely they will ever be used for B1, B2 or B8 uses again. The Council does not intend to protect these sites for employment purposes over the life of the Plan and there will be numerous instances where the Council will actively be promoting alternative uses for these sites. Where a site is permitted for an alternative use, it will be removed from the Employment Landbank".*

- 8.26 Subject to the MAC changes, which are recommended as necessary to make the policy coherent, Policy AW11 would suitably address the re-use of employment sites for other purposes.
- 8.27 Whereas Policy AW 11 applies to the re-use of all types of existing employment sites for alternative purposes across RCT, *Policy NSA 15 – Small Industrial and Business Sites* applies to proposals for the alternative use of sites up to 0.5ha in the Northern Strategy Area only. The test to be applied by Policy NSA 15 for the release of such sites differs from that in Policy AW 11. There could be proposals where either policy might apply to the same proposal, creating uncertainty and confusion. **MAC129** would therefore amend Policy NSA 15 such that the provisions of Policy AW 11 would apply except where it is desirable to remove unsuitable business uses from an area.
- 8.28 *Policy NSA 16 – Re-development of Vacant/Redundant Industrial Sites* would create an exception to Policy AW 11 in the Northern Strategy Area such that employment-led mixed use development may be permitted on vacant/redundant sites. **MAC60** proposes changes to Policy NSA 16 and the supporting text. The main effect would be to apply different criteria for the redevelopment of non-allocated employment sites when compared to sites that are allocated for employment use by Policy NSA 14. For non-allocated sites, the requirement for employment-led mixed-use development is dropped. Proposals for alternative development would still need to comply with Policy AW 11, including the redundancy test. For employment sites allocated by NSA 14, the changes would allow for employment-led mixed-use development, with no requirement for a redundancy test. These changes would clarify the implementation mechanisms and help to address the legacy of former employment sites that are unlikely to be wholly or mainly required for employment use in the future. **MAC129** includes a cross reference from Policy NSA14 to NSA 16.
- 8.29 Policy NSA 16 would allow the inclusion of other uses in employment-led mixed use developments. Indeed the inclusion of such uses may be necessary to create viable developments that also provide employment. However whereas a primary housing use would self-evidently fail to meet the employment provision objectives, some retail uses could potentially provide a significant number of additional jobs in a locality. The net employment effect would depend on the type of retail development proposed and the effect on other retail employment in the area. To exclude retail use which would accord with retail policy could contravene employment provision objectives. **IC06** would accordingly amend the text.

8.30 **IC06 Amend paragraph 6.73 to delete the penultimate sentence.**

*Treforest Industrial Estate/Parc Nantgarw*

- 8.31 The Treforest Industrial Estate/Parc Nantgarw is one of the largest employment locations in the County Borough. The Council acknowledges that it needs to adapt to a change in demand for the type and location of employment premises and, Focussed

Change 7 included Policy SSA XXX to provide for acceptable redevelopment proposals.

- 8.32 The Environment Agency Wales objected to that policy on the grounds of flood risk. However: the site is already in employment use; TAN15 provides that the location of development in Zone C can be necessary to contribute to key employment objectives supported by the local authority and other key partners to sustain an existing settlement or region; and **MAC99** would amend the reasoned justification to the above new policy to require that flooding issues are fully considered and that the consequences of flooding can be managed to an acceptable level in line with TAN 15. Whilst the **MAC99** wording is recommended to ensure compliance with national policy, no further change is needed to make the LDP sound in that regard. Neither is it necessary on those grounds to amend the policy and text references to ancillary and complementary land uses.
- 8.33 Designation of the site as a Simplified Planning Zone would require a separate procedure outside the LDP process. A further reference to consideration of that possibility is not necessary to make the plan sound as there is already a reference to such consideration at paragraph 4.59. This confirms that the Council will keep under review the desirability of introducing such a scheme for part or parts of the County Borough.'
- 8.34 **MAC99** would also further amend the wording of the reasoned justification for the Policy SSA XXX by adding text to refer to the intended preparation of Supplementary Planning Guidance for Treforest Industrial Estate. That change is necessary to provide a clear mechanism for implementation in accordance with soundness test CE3.

### **Recommendation**

- 8.35 That in order to make the Plan sound the following changes are recommended:

**MAC26, MAC27, MAC60, MAC99, MAC116, MAC129**

**IC06, IC17**

## **9 RETAIL DEVELOPMENT**

### *Policy CS 7 – Retail Development*

- 9.1 Policy CS 7 would allocate 35,700 sq m of new retail floorspace divided between 7,175 sq m of convenience goods space and 28,500 sq m of comparison goods space. By far the largest single allocation would be 23,200 sq m within the strategic site at Talbot Green (Policy SSA 8) with the remaining local retail development to be divided between several sites by Policies NSA 17/SSA 15 - Retail Allocations.
- 9.2 As a result of matters arising in the course of the examination, the Council has proposed a series of changes to Policy CS 7, its reasoned justification, and the related Appendix 1(C) as follows:
- **MAC08** would correct the overall allocation from 35,700 sq m to a range of between 34,400 and 36,400 sq m net with associated amendments to the amounts of convenience goods floorspace (7,550-10,050 sq m net) and comparison goods floorspace (24,350-28,850 sq m net). This depends on whether the SSA 15.1 site

(Land adjacent to Pontypridd Retail Park) is developed as convenience floorspace or as comparison goods space, as explained in Appendix 1(C) of the submitted LDP as amended by **MAC107**. **MAC10** and **MAC11** would make related amendments to paragraphs 4.63 and 4.64.

- **MAC09** would correct the residual quantitative need figures identified in the Retail Capacity Assessment (2007) after allowing for floorspace commitments. The revised figures would be 2,507 sq m net convenience floorspace and 21,770 sq m net comparison floorspace.
- **MAC107** and **MAC108** would make related amendments to Appendix 1(C) and would add tables to clarify the implications for supply depending on whether the SSA 15.1 site is developed as convenience or comparison goods floorspace.

#### Quantitative Need

- 9.3 PPW paragraph 10.2.10 states amongst other things that: 'Precedence should be given to establishing quantitative need for both convenience and comparison floorspace, particularly as a basis for development plan allocations before qualitative factors are brought into play.'
- 9.4 The Council relies mainly on three documents:
- *Retail Capacity Assessment Quantitative Update 2008 (EB70) [Referred to elsewhere as the 2007 Assessment]*
  - *Supplementary Report on Proposed Town Centre Llantrisant [Talbot Green] (EB71);* and
  - *Explanatory Memorandum on LDP Retail Evidence following changes to Pontypridd Commitments December 2009 (EB72).*
- 9.5 EB70 updated a 2003 study. The study area included 4 zones that broadly relate to the RCT area as follows:
- Zone 1 – Aberdare
  - Zone 2 – Rhondda (Tonypany/Porth)
  - Zone 3 – Pontypridd/Mountain Ash
  - Zone 4 – Llantrisant/Talbot Green
- 9.6 The main conclusions of EB70 were that in terms of convenience floorspace, a number of supermarkets were currently trading at above average levels but several commitments would absorb much of the surplus. The commitments at that time included: a new Asda at Tonypany (since completed); extensions to the Tesco and Asda supermarkets at Aberdare (since completed); and a large supermarket within the Angharad Walk development in Pontypridd town centre. That latter scheme is now unlikely to be implemented but the Council has resolved to grant planning permission for a smaller Sainsbury's foodstore on the SSA 15.1 site, elsewhere in Pontypridd. If all the commitments including Angharad Walk had been implemented, EB70 predicted emerging capacity from 2011 for one further main supermarket in the County Borough during the LDP period (plus other smaller convenience retailers). In quantitative terms the projected convenience floorspace requirement was for about 750sqm by 2011, about 1,600sqm by 2016 and about 2,500sqm by 2021. EB70 concluded that the supermarket should be in Zone 4 where the largest settlement is Llantrisant/Talbot Green. Both of the largest supermarkets in Zone 4 are operated by Tesco but the out-of-town store at Upper Boat is on the edge of the Zone where it is also the largest supermarket serving Zone 3 (Pontypridd). Both stores have been the subject of recent floorspace extensions. However these allowed expansion of comparison goods floorspace and not just convenience floorspace.

- 9.7 In terms of comparison goods floorspace, EB70 concluded that existing commitments at Angharad Walk (14,500sqm net) and Tirfounder Fields (an out-of-town centre adjacent to Asda near Aberdare) would absorb capacity until 2016. However it also concluded that there would be additional capacity by 2021 for around a further 22,000sqm (net). The Angharad Walk scheme has since been replaced by the smaller Riverside scheme. Demolition work has commenced to implement that scheme. The remainder of the Tirfounder Fields scheme remains unimplemented and EB70 refers at paragraph 2.57 to uncertainty that the entire commitment will come forward. However there was evidence at Hearing Session 12 that the current comparison goods floorspace at Talbot Green is higher than that given in EB70, in part because it does not take account of the installation in several stores of new mezzanine floorspace. EB70 also warns of the uncertainty of expenditure projections beyond 2016 and the need for monitoring and review.
- 9.8 EB71 considered the likely impact of concentrating new retail floorspace of differing amounts at one site in Talbot Green. It concluded that developments of 3,000-3,700sqm net of convenience floorspace there would be acceptable if the Angharad Walk food store were developed in Zone 3 (Pontypridd) and if no further large food stores were permitted in Zone 4 or Zone 2 (Rhondda). Up to about 19,500sqm (net) of comparison goods floorspace was considered to be on the limits of acceptability. At that level, there was forecast to be a 2% reduction in turnover densities in Zone 2 compared to 2007 levels and a potential impact on the timing and delivery of the Angharad Walk development at Pontypridd (unless that development were to be implemented first). The allocation now proposed at Talbot Green is 23,200sq m (3,700 + 19,500). The allocation site has been extended to include the site of the existing Leekes Department Store but no addition has been made to the floorspace allocation as there would be a replacement of existing comparison floorspace there.
- 9.9 EB72 addressed the replacement of the Angharad Walk redevelopment in Pontypridd with the smaller 'Riverside' development. It concluded that the lost comparison goods space should not be redistributed within RCT as the anticipated uplift in demand from an increased retention of trade would be less with a smaller redevelopment. The LDP allocations and the reduced Riverside scheme were expected to meet the 28,000sqm net requirement for comparison goods space by 2021. The lost convenience space from the Angharad Walk scheme could be met on the SSA 15.1 site and the NSA 17.1 (Mountain Ash) site.
- 9.10 The Household Survey was updated in 2006 and the information has been adjusted to take account of the effect of existing commitments and their effects on expenditure patterns. Whilst expenditure projections will vary with economic circumstances and become less reliable over a longer period, that does not warrant a new assessment now based on the recent recession. To do so would delay the LDP and would be unlikely to be significantly more reliable in respect of the latter part of the LDP period when most of the new demand is forecast to arise. Whilst criticisms have been made of particular assumptions, criticisms have also been made of alternative forecasts put forward by the Representatives. On balance the retail capacity assessments are adequately robust.
- 9.11 The allocation of 7,550-10,050sqm net of convenience floorspace would appear to significantly exceed the identified quantitative need for only 2,500sqm of convenience floorspace predicted in EB70 and which would not arise in full until 2021. In practice the surplus may be reduced as the higher figure includes 2,500sqm of convenience floorspace within a 3,500sqm store on the SSA 15.1 site (if that site is not wholly developed for comparison goods). That would replace a lapsed

commitment on the Angharad Walk site in Pontypridd which would have included about 3,400sqm of convenience floorspace within a 5,000sqm foodstore [Source SD12.2.1 paragraph 4.4.5].

- 9.12 The identified quantitative need has not been adjusted to reflect additions to floorspace as the result of a 2,500sqm mezzanine extension to Tesco-Talbot Green and a permitted 1,800sqm extension at Tesco-Upper Boat. However both stores include extensive comparison goods floorspace and neither extension was to provide for only convenience floorspace. Neither does the need allow for recent changes in floorspace provision in smaller convenience stores. However in that regard the extra floorspace provided by the opening of a Lidl at Treorchy is likely to have been offset by Aldi closures elsewhere.
- 9.13 About half of the remaining convenience floorspace allocation comprises modest proposals in settlements where substantial new housing is proposed and local provision is lacking. The other half (3,700sqm) would be provided in one large store at Llantrisant/Talbot Green. That is broadly in line with the conclusions of EB70 that there would be the capacity for one main supermarket in Zone 4 during the plan period and the conclusion of EB71 that a store of that size would have an acceptable impact.
- 9.14 Nevertheless quantitative need does not alone support this overall level of provision of convenience floorspace and consideration is also needed to qualitative considerations (see below).
- 9.15 In relation to comparison goods space, the allocation of 28,850sqm net of floorspace would significantly exceed the identified need for only 21,770sqm of space by 2021. However provision would reduce by 4,500sqm to 24,350sqm net if the NSA 15.1 site is developed mainly for convenience floorspace (as appears likely) instead of implementing the extant permission for 5,500sqm of comparison goods space. Another 3,250sqm net of comparison goods space would be distributed between modest proposals to support large new housing developments. The Riverside scheme at Pontypridd would only provide about 4,880sqm of comparison goods floorspace. It replaces the 13,000sqm proposed in the previous Angharad Walk scheme which was an existing commitment at the time of the 2008 retail capacity assessment. However, as EB72 explains, that reduction in floorspace would also reduce the ability of Pontypridd to attract custom that might otherwise go elsewhere, such as Cardiff. The allocation of comparison goods space would nevertheless be broadly in line with the forecast quantitative needs in 2021.

#### Viability/Vitality

- 9.16 For convenience goods, the development of an additional large main supermarket at Talbot Green would be bound to have some impact on existing convenience stores in Zone 4. EB71 also predicted turnover impacts in 2016 in Zone 2 (Rhondda) of – 7.6% and in Zone 3 (Pontypridd) of -3.8%. However the impacts would mainly affect the large supermarket rivals such as Tesco-Talbot Green, (which would be within the same town centre) and the out-of-centre supermarkets at Tesco-Upper Boat and Asda in Tonypany. The smaller convenience stores in this area have survived competition with these larger stores and can be expected to continue to provide for local and specialised needs and for top-up shopping.

- 9.17 If a supermarket is developed on the NSA 15.1 site at Pontypridd, as currently proposed by Sainsbury, its reduced size compared to the previous Angharad Walk scheme foodstore should reduce its relative impact within Zones 2 and 3.
- 9.18 In terms of comparison goods floorspace, Scenario 2 in Table 4.13 of EB71 would be closest in scale to the allocation now proposed. The Table predicts that Scenario 2 would result in the new comparison goods development in Zone 4 (Talbot Green) reducing turnover in 2016 by 12% in Zone 2 (Rhondda) and by 9.6% in Zone 3 (Pontypridd). This was described as on the limits of acceptability in terms of the impact on other centres and could affect the timing and delivery of the then commitment at Angharad Walk, Pontypridd. That commitment has since lapsed. As the overall amount of floorspace in Pontypridd would be less than with the lapsed scheme, Talbot Green could be a more attractive destination for those shoppers in a position to choose between the two destinations.
- 9.19 One way to reduce the potential impact would be to delay the Talbot Green comparison goods development to allow time both for the Riverside Walk scheme in Pontypridd to be implemented and become established and also for general demand to rise as predicted. In that regard, EB70 at paragraph 3.7 concluded that the long term projections of increased demand should be treated with caution. It was recommended that specific allocations were not made in the LDP until it is subsequently reviewed. However to defer decisions about the location of major retail development would create uncertainty and prevent the planning of transport infrastructure that would be shared by other development. Rather than delete the allocation, **IC09** would accordingly phase the comparison goods development.

#### Qualitative Need

- 9.20 The Council originally cited two main qualitative grounds for making allocations for convenience provision in excess of the identified quantitative need. The first is described as a need to 'decongest' existing convenience (food) provision in Llantrisant/Talbot Green. This refers particularly to claimed over-trading at Tesco (not disputed by the company) which is the dominant convenience store in the area and which attracts a significant proportion of convenience shopping from Zones 2 and 4. A lack of choice makes it less likely that trade will be retained within the local area. The LDP also proposes that almost 5,000 new homes be built within Zone 4 which will inevitably increase demand for convenience shopping in this part of RCT.
- 9.21 The second qualitative ground for convenience provision concerns the strengthening of shopping provision in the 3 key settlements of Llanharan, Tonyrefail and Hirwaun where large housing developments are proposed and which would also minimise the need for local residents to travel to other settlements for convenience shopping. Similarly the allocation of the NSA 15.1 site for convenience shopping as an alternative to the extant comparison shopping permission on that site would increase competition and reduce the need for residents to travel out of Pontypridd for convenience shopping at large out-of-town supermarkets, as many do now. These measures would support the PPW paragraph 10.1.1 objective to secure accessible retail provision.
- 9.22 In relation to comparison goods, the Council argues that a lack of medium sized units in Talbot Green restricts retailer representation and reduces competition with several retail sectors under-represented. Increasing choice would reduce the need for residents to travel outside the County Borough. **MAC73** would add text to the reasoned justification at paragraph 6.142(a) to require that the SSA 8 development

be laid out in a manner that reflects the characteristics of a town centre with a range in the size of new retail units to be provided. That would reduce the risk that the allocation would be developed as another retail warehouse park.

#### Conclusion on Retail Need

- 9.23 The future need for retail space will vary with economic circumstances and other factors such as changes in on-line retailing. Retail capacity assessments therefore become less reliable over longer periods. Nevertheless there is evidence of a growing quantitative requirement for both convenience floorspace and comparison goods floorspace. The quantitative need for convenience floorspace is modest at the scale of the County Borough. However the scale of residential development proposed in some parts of the area and the desirability of improving competition and choice of main supermarkets and of reducing the need to travel long distances for food shopping supports additional provision. The quantitative need for comparison goods floorspace is greater but it is unlikely to be needed until later in the plan period. Provision of the bulk of the comparison goods floorspace should therefore be phased in order that it is not provided significantly in advance of the projected need.

Whether the proposed allocations accord with the sequential approach

- 9.24 The Council set out the reasons for its choice of retail sites in Document EB123 '*Draft Retail and Leisure Development: Approach to Site Selection*'. The County Borough was divided into 4 zones and sites for retail development were considered in terms of their accessibility, suitability and availability.
- 9.25 In Zone 1 (Aberdare and Hirwaun), no need was identified in the principal town of Aberdare. However the existing retail centre at Hirwaun was identified as too small to serve the needs of this key settlement. That small centre is surrounded by mainly residential development which restricts the opportunities for expansion. No edge-of-centre sites have been identified. Only the out-of-centre NSA 8 strategic site was identified as 'potentially accessible', suitable and available for retail use. Policy NSA 17.2 would accordingly allocate 2,000sqm net of retail development there. **MAC120** would amend text at Appendix 1(C) Policy CS 7/NSA 17(2) to support the provision of a foodstore rather than the previous less realistic reference to a mix of convenience and comparison unit shops.
- 9.26 This site is unlikely to come forward until late in the plan period after a substantial proportion of the proposed new housing has been implemented and when road access (and a bus service) is available. However its provision will be linked to the new housing and, therefore, additional need and there is insufficient evidence to justify allocating an additional retail site now.
- 9.27 Elsewhere in Zone 1 the permitted Tirfounder Fields site (also known *AS(N)1 Riverside Retail Park*) already has planning permission for retail development subject to conditions limiting the range of goods to be sold, so as to protect town centres. It is thus an existing retail commitment and there is no need for a new retail site allocation. Whilst designation as a retail centre under Policy NSA 18 would potentially allow a wider range of goods to be sold there, there is a lack of evidence that this would avoid unacceptable harm to existing town centres of Aberdare and Mountain Ash.
- 9.28 In Zone 2 (Rhondda and Tonyrefail), no suitable and available in-centre or edge of centre sites were identified for any of the key settlements. The existing centres are

typically closely built-up and are otherwise constrained by residential and other development or by physical features. The study considered sites at Porth Bus Station and *AS(N)150 Trealaw (Ynys Field)*. These have been the subject of retail consents in the past. However these were not implemented. The former site was considered to be unavailable and the latter out-of-centre site has poor access by means other than the car.

- 9.29 The only potentially accessible, suitable and available sites identified in Zone 2 were:
- Cae Mawr (Treorchy) but only if not required for business development (the site is allocated for business development by Policy NSA 14.4 and NSA 16 sets criteria for employment-led mixed use development)
  - Tonyrefail, Padfield Industrial Estate
  - Tonyrefail, Trane Farm
  - Tonyrefail, East of Mill Street

Within Tonyrefail the latter site is sequentially preferable as it is closer to the existing retail centre than Trane Farm or the Padfield Industrial Estate and has enhanced accessibility by means other than the car. It is proposed to be allocated by SSA 15.3 for 2,000sqm net retail space.

- 9.30 In Zone 3 (Pontypridd and Mountain Ash), an in-centre site was identified at Mountain Ash and is proposed to be allocated by NSA 17.1. An Environment Agency Wales objection on flood risk grounds was resolved during the examination. No other accessible, suitable, or available sites were identified within the retail centre of Pontypridd which is physically constrained by other development and physical features. The only significant opportunity there is the Riverside site which, however, is the subject of an existing retail permission. Of the 3 Pontypridd sites considered in the EB123 study, only the land adjoining Pontypridd Retail Park (Brown Lenox) is both available and has significant capacity. Whilst the site lies within the proposed extended town centre boundary it qualifies as out-of-centre in terms of the defined retail centre (about 1km away) and is only described as 'moderately accessible' in EB123. However it has consent for comparison goods development and the Council has resolved to approve a planning application by Sainsbury's for a retail foodstore.

- 9.31 A previous application on the same site was called in and refused planning permission by the Welsh Assembly Ministers because it threatened the development of a supermarket within the Angharad Walk scheme on a sequentially preferable site in the retail centre. However that scheme has lapsed and has been replaced by a permitted retail scheme that would not include a large convenience store. There is no evidence of any other sequentially preferable site to meet the qualitative need for improved convenience provision within Pontypridd. The site is proposed to be allocated by NSA 15.1 for development either for comparison goods space (in accordance with the existing commitment) or for convenience floorspace. Editorial Change **A44** would correct the wording of Policy SSA 15 to be consistent with Appendix 1(C) which refers to SSA 15 as allocating either 3,500 sq m of convenience space or 5,500 sq m of comparison goods space on Land adjacent to Pontypridd Retail Park. **MAC93** and **MAC107** would amend the reasoned justification and the Appendix C description to provide for the alternative of convenience provision with reduced floorspace to accommodate increased car parking requirements and would suitably amend the reasoned justification at paragraph 6.161 to explain this.

- 9.32 Zone 4 (Llantrisant/Talbot Green). The comparison goods commitments at Riverside, Pontypridd in Zone 3 and at Tirfounder Fields in Zone 1 are predicted by the EB70 Retail Capacity Update to provide for the quantity of comparison goods space needed in the County Borough (including Zone 4) until 2016. However the Tirfounder Fields

site is a longstanding commitment in a location which is remote from Zone 4 and not easily accessed from Zone 2, especially by public transport. It is not certain to be implemented. Whilst the proposed Riverside development in Zone 3 would be more accessible from Zones 2 and 4 these developments would not meet all predicted needs beyond 2016.

- 9.33 To provide significant new comparison shopping in Zone 2 would be difficult as there is no one dominant centre and the existing retail centres there have relatively low turnover rates. No sites for significant further floorspace in or adjoining retail centres in Zone 2 have been identified by the Council or by Representatives as suitable to provide for the scale of additional comparison goods space that EB70 predicts will be needed by 2021. The previous permission at Ynys Fields was modest in scale, was not implemented and would not be readily accessible other than by car. Moreover to reach Zone 2, customers from Zone 4 would have to travel past the larger existing Talbot Green or Pontypridd town centres. Journey times from Zone 4 would be similar to those for travel outside the County Borough to Cardiff or Bridgend. Thus even if a suitable site could be identified in Zone 2, it would be unlikely to attract significant custom from Zone 4 or to assist retention rates within the County Borough.
- 9.34 In Zone 4, Talbot Green is acknowledged to be one of the most successful retail locations in RCT following the development of a Tesco Extra supermarket and the Talbot Green Retail Park in place of the former Newpark District Centre. There is a low vacancy rate in the retail centre and a high proportion of the Retail Park units are occupied by national firms. The retail centre is adjacent to the A4119 which is a principal road and commuting route between the M4/Cardiff and the Rhondda and it draws significant custom from Zone 2 as well as from Zone 4. The recent completion of the A473 Church Village by-pass will also increase accessibility by car and bus from the eastern parts of Zone 4 and Zone 3. Major housing developments are proposed in settlements to the north, east and west of Talbot Green as well as nearby at Cefn-yr-Hendy. Talbot Green in Zone 4 is therefore the most sequentially appropriate settlement for additional comparison goods floorspace to meet needs beyond 2016.
- 9.35 Within the existing Talbot Green Retail Centre, the only site suggested at the examination for development lies between Talbot Green Retail Park and Talbot Road. It includes land owned by the County Borough Council. However it has not been the subject of representations for its allocation and, if developed, it is only anticipated to provide about 2,300sqm of floorspace together with a modest increase in parking provision. That would not provide for the anticipated needs.
- 9.36 The only edge-of-centre site with significant capacity would be the golf course. However the EB123 study concluded that it is neither suitable (by reason of topography and lack of visibility), nor available. The existing retail centre is otherwise constrained by main roads and housing areas. Of the other sites considered in Document EB123, Glamorgan Vale Retail Park is already fully developed for retail use. The other out-of-centre sites are at varying distances from the existing retail centre. They all present associated difficulties in achieving access between the existing and proposed shopping areas. Some are affected to varying degrees by environmental constraints. However the site proposed to be defined as a new retail centre and town centre within Strategic Site SSA 8 is one of the nearest to the existing centre and would closely adjoin both the main access roads, a proposed railway station, and the route of a foot/cycleway. There is also the opportunity to

divert or extend existing bus services into the site and to provide additional pedestrian/cycle links across the adjacent bypass.

- 9.37 The site includes the large existing Leekes comparison goods store (which already draws significant custom to the location and which may be rebuilt within the development). The site's scale would permit the inclusion of other town centre uses and housing in the type of mixed-use development that is encouraged by PPW paragraph 10.2.4. A Zone 4 location is also recommended by EB70 as the most appropriate location for a large new convenience supermarket and this site occupies a central location within that area. For these reasons there is no sequentially preferable location to accommodate the major retail development needed to meet the predicted requirements for comparison goods and convenience goods floorspace. Document EB71 concluded that the typically small Talbot Road shops, offices and restaurants complement the existing Talbot Green Retail Park and had not been harmed by its expansion. The existing Retail Park is performing strongly with few vacancies. There is evidence that shops have sought to expand their floorspace and there is evident parking pressure at peak times. There is a lack of evidence to support claims made by its owners at the examination hearings that its viability and vitality would be harmed by the new town centre development although EB71 warns that unit sizes may need to be controlled.
- 9.38 **MAC94** would identify the previously defined retail centre in Talbot Green with a town centre boundary. This is necessary for the coherence and application of other plan policies including Policy SSA 3.3. **MAC95** and **MAC96** would make related changes to Policy SSA 17 and its reasoned justification. Unusually, the defined town centre and retail centre would be in two parts. Also the intervening Glamorgan Vale Retail Park would not be included within either defined area. However, that would have no practical consequences for the soundness of the Plan as the area is already fully developed as a modern retail development. Paragraph 6.142(a) includes provision for pedestrian and cycle links over the A473 at Glamorgan Vale Retail Park. **MAC124** would amend the Proposals Map SSA 8 site boundary to accord with the revised retail area. **MAC132** would amend the retail floorspace figure in Policy SSA 8 to 23,400sqm to include the 200sqm at the proposed local centre.
- 9.39 The SSA 8 site is an appropriate location for new convenience and comparison floorspace. Whilst the direct replacement of the Leekes comparison space would not have an impact on other centres, the bulk of the new comparison goods space should be phased in order that it does not proceed significantly in advance of the identified need which is predicted to occur later in the LDP period. **IC09** would accordingly amend the phasing.
- 9.40 **IC09 Amend SSA 8 paragraph 6.143 (as previously amended by Focussed Change 32) in respect of the phasing of the Cowbridge Road retail development as set out in Schedule B.**
- 9.41 Elsewhere in Zone 4, the key settlement of Llanharan is proposed as the location for the SSA 9 strategic development to include 1,950-2,100 dwellings together with a further 330 dwellings proposed by Policy SSA 10 at the adjacent villages of Brynna and Bryncae. The small retail centre and other individual shops in these settlements would clearly be inadequate to serve this level of development. Additional local provision is needed if residents are not to have to travel to other settlements to meet most of their needs. Whereas the EB123 study did consider some sites that are closer to the existing Llanharan retail centre, they are at the opposite end of the settlement from the proposed strategic housing site and beyond easy walking

distance for the new residents. A new retail development within the strategic site would be preferable as providing more readily accessible facilities for the greatest number of people. SSA 15.2 therefore allocates 2,000sqm of retail floorspace within the SSA 9 strategic site. **MAC81** would marginally amend the retail floorspace proposed in SSA 9 to 2,500sqm (net) and **MAC132** would similarly amend Policy SSA 15.

*Policy NSA 18/SSA 16 – The Retail Hierarchy*

9.42 These policies set out the hierarchy of retail centres and they also include the defined boundaries as shown on the Proposals Map. MAC123 would correct an error that excluded the Post Office from the defined retail centre of Talbot Green.

*Policies NSA 19/SSA 17 – Retail Development in the Retail Centres of Principal Towns and Key Settlements*

9.43 There are no issues for these sites in relation to the soundness of the LDP and no changes are recommended.

*Policy Omission - Retail Development on Unallocated Sites*

9.44 The LDP does not include a criteria-based policy for retail development on unallocated sites outside retail centres. However national policy in PPW would still be applicable to submitted planning applications and Council's Editorial Change **A9** in the Schedule C would add text after LDP paragraph 4.65 to confirm that. As there is no identified need to depart from, or add to, national policy and it is unnecessary to repeat the detail of national policy, the LDP remains sound notwithstanding the continued lack of a criteria-based policy. All Schedule C changes are endorsed.

**Recommendation**

9.45 That in order to make the Plan sound the following changes are recommended:

**MAC08, MAC09, MAC10, MAC11, MAC73, MAC93, MAC94, MAC95, MAC96, MAC107, MAC108, MAC120, MAC124, MAC132.**

**IC09**

9.46 The following minor change which the Council wishes to make to improve the clarity or accuracy of the Plan is endorsed:

MAC123

**10 TRANSPORTATION**

*Policy CS 8 – Transportation*

10.1 Policy CS 8 refers to three means of improving the transportation network. These comprise:

- (a) five strategic road schemes (CS8(a)1- CS8(a)5;
- (b) three strategic transport corridors (with development contributions to funding); and

- (c) other improvements to roads, to public transport, to parking, and to walking and cycling provision, that are variously set out in Policies NSA 20 to NSA 23 and SSA 18 to SSA 21.
- 10.2 The single carriageway CS 8(a)1 Church Village Bypass was completed and opened to traffic during the LDP examination. **MAC135** would therefore delete all references to that scheme from the LDP. As the need for the road has only recently been assessed as appropriate for a single carriageway, there is no realistic prospect that this will be rebuilt as a dual carriageway within the LDP period and thus there is no justification for making such provision in the LDP.
- 10.3 The CS 8(a) 2-4 road schemes are included in the submitted South East Wales Transport Alliance Regional Transport Plan (SEWTA RTP) amongst a list of highway problem areas to be the subject of investigation for possible inclusion in a future programme of works. Whilst their implementation is not assured during the 5-year programme of the RTP, the LDP extends beyond that period.
- 10.4 The CS 8(a)2 Gelli/Treorchy Relief Road is a long-standing proposal which was included in the Rhondda Local Plan (1998). The northern section of the route would lie alongside the single line railway and would probably prevent its reversion to a double track formation. However as this is near the end of the line at Treherbert, a double track is not needed to provide an adequately frequent passenger service and public transport provision would not be harmed. For the southern section along the hillside to the west of the settlements, the Local Plan Proposals Map showed a similar route but with a text reference to the consideration of an alternative route continuing south along the railway line, as had been recommended for consideration by the Local Plan Inspector. The Council did subsequently consider that alternative route but discarded it for the LDP on grounds including noise impact and the effect on dwellings and utilities apparatus. Studies have concluded that an acceptable gradient can be achieved on the proposed hillside route. The road is included in the list of schemes for investigation in the RTP and there is a reasonable prospect of the scheme proceeding during the life of the LDP.
- 10.5 The Council has proposed **MAC109** which would add text to Appendix 1(d) to the effect that, whilst the indicated route would be protected, the Council: 'intends to investigate alternative alignments before it finally adopts a route to take forward to detailed design'. However there has been no feasibility or sustainability appraisal work to support the identification in the Plan period of any further extension of the road scheme.
- 10.6 The CS 8(a)3 Ynysmaerdy to Talbot Green Relief Road is included in SEWTA's RTP list of schemes but may still be substantially dependent on developer contributions, which would need to be justified. The EB81 Strategic Transport Corridors Infrastructure Needs Studies Report 3 (2009) concluded that the Relief Road and a series of other works in the A4119/A473 corridor would be necessary to accommodate the development proposed in the LDP. The estimated scheme cost of £13.7m (excluding land costs estimated at 5%) would be part of the overall estimated cost of the works in the A4119/A473 corridor of about £40m.
- 10.7 Apart from a current planning application for housing development at the southern end of the Relief Road route at Lanelay Hall, which might incorporate a short section of the proposed road, no other development is proposed along the length of the route that could contribute to its construction. Any developer contributions would therefore need to come from development elsewhere that contributed to the need for the road

as part of the strategic transport corridor schemes. It is not clear that the proposed developments could fully fund both this and the other schemes indicated as necessary in Document EB81. However as this scheme is included for investigation in the RTP, there is some possibility of other funding becoming available, subject to need. That need may also be affected by what road and transport improvements are provided elsewhere in the locality. Despite uncertainty regarding funding, the need is supported by Document EB81 and as the options for providing a relief road are restricted, the protection of one route is justified.

- 10.8 **MAC110** amends the text of Appendix 1(d) to the effect that whilst the route indicated on the Proposals Map would be protected, the Council 'fully intends to investigate alternative alignments before it finally adopts a route to take forward to detailed design'.
- 10.9 The CS 8(a)4 A4059 Aberdare Bypass Extension is also included in the list of schemes for investigation in the SEWTA RTP and there is a reasonable prospect of the scheme proceeding during the life of the LDP. Its construction would need to await the A465 dualling works to which it would connect with an additional junction. However, whilst it would provide relief to the A4059 at Penywaun, it has not been shown in the EB81 Reports to be necessary to be implemented before development commences at the NSA 8 strategic site at Hirwaun.
- 10.10 The CSA 8(a)5 A465 dualling from the A470 to Hirwaun is included in the Welsh Assembly Government's National Transport Plan for completion by 2020 and there is an extant line order for its construction. Its inclusion in the LDP is fully justified.
- 10.11 As LDP paragraph 4.72 explains, the CS 8(b) Strategic Transport Corridor Management System seeks developer contributions within the 3 identified corridors towards road and other transport improvements needed to deliver allocated sites and to ensure that growth proposed by the LDP has no adverse impact on the highway network. However, since the LDP was drafted, legislation has come into effect in April 2010 relating to the introduction of the Community Infrastructure Levy (CIL). Unless, by 2014, the Council follows the statutory processes to introduce a CIL scheme, the pooling of contributions towards an item of infrastructure in the manner envisaged in the LDP would thereafter be limited to contributions from a maximum of 5 different developments. Given the large scale of the transport corridors and the likely number of developments that would contribute to a need for the works, that would be likely to prevent the accumulation of the necessary funds to carry out the works on a pooled basis.
- 10.12 It is for the Council to decide whether to adopt a CIL scheme. However, in the meantime, it appears that the proposed system of pooled funds could operate on an interim basis. Contributions made using Section 106 Planning Obligations would still need to satisfy the new statutory tests for contributions as set out in the CIL Regulations.

#### *Policies NSA 20/SSA 18 – Major Road Schemes*

- 10.13 In addition to the above CS 8 strategic road schemes, seven further schemes are proposed to be safeguarded by the LDP that are not included in the list of schemes to be investigated in the SEWTA RTP.
- 10.14 NSA 20.1 and NSA 20.4 concerns safeguarding for two schemes for cross valley links at Mountain Ash to bring environmental relief to other routes. These are relatively modest proposals and the schemes would be located in the Heads of the Valleys area

where the Council refers to the possibility of funding from grants, the Council's own resources and developer contributions. The inclusion of the schemes is justified.

- 10.15 NSA 20.2 concerns the safeguarding of a route to extend the recently-constructed Porth Relief Road through the Upper Rhondda Fach as far as Maerdy. This would be a major scheme and the March 2007 Report to the Council's Cabinet estimated the cost at £105m. The cost may have risen since then. There is no evidence as to how this might be funded and the Council acknowledges in Document EB14 that there is no certainty that work would commence within the LDP period. However the route shown on the Proposals Map would mostly follow the line of a disused railway and TAN 18 (paragraph 8.23) allows for the safeguarding of such railway routes for transport purposes beyond the LDP period. The inclusion of the scheme in the LDP is justified on that basis.
- 10.16 NSA 20.3 however concerns the extension of the above road beyond Maerdy. Appendix 1(d) indicates that the road would extend as far as the A4061 Rhigos Road but acknowledges that the proposal has not been developed sufficiently to enable the identification of an approved route to be safeguarded. No route is shown on the Proposals Map and the route could not follow a disused railway as there is none in this location. As the implementation would logically depend on the prior implementation of the above NSA 20.2 scheme, NSA 20.3 would not be constructed within the LDP period. Moreover the March 2007 Report to the Council's Cabinet estimated the cost then at £45m and there is no indication as to how it might be funded. With no identified route and no realistic prospect of commencement within the LDP period, the inclusion of the scheme in the LDP would serve no purpose. It would risk blight over a wide area, would mislead local residents and those considering investment in the area, and would contravene national policy in TAN 18. **IC07** would accordingly delete the scheme.
- 10.17 **IC07 Delete NSA 20.3 Upper Rhondda Fach Relief Road Extension (Beyond Maerdy) and the associated text at Appendix 1(d).**
- 10.18 SSA 18.1 and the associated text at Appendix 1(d) refer to the safeguarding of land for upgrading to dual carriageway with junction improvements along about 10km of the A4119 between Ynysmaerdy and Williamstown, as shown on the Proposals Map. The cost for the full scheme was estimated in the March 2007 Report to Cabinet at £35m. It may since have risen. Appendix 1(d) describes the scheme as dependent on the scale of development in the area with developers to be required to assist with the cost. However, the EB81 Strategic Transport Infrastructure Needs Studies only supported the need for one junction improvement (at the A4119/A4073 roundabout) to provide for development proposed in the LDP, and did not support the full scale dualling of the route. Whilst other local improvements may prove necessary as the result of detailed Transport Assessment, the prospects of justifying sufficient developer contributions to fund the full dualling scheme are therefore remote. No other funding source has been identified.
- 10.19 The Council's only justification for the full scheme rests on a possibility that traffic growth may lead to a chance of the scheme being included in a future SEWTA RTP programme. Whilst the Council points out that this would be an on-line widening scheme which would not pass immediately adjacent to any development sites, there remains the possibility of blight to nearby residential and other properties as a wider, faster road would have a greater environmental impact.

- 10.20 In Document EB14 the Council acknowledged that the prospects of the full scheme being funded during the LDP period are 'relatively low'. Any local works needed along the route to support the plan's development proposals at Tonyrefail and elsewhere could be implemented without a full dualling scheme. As it is unlikely that the dualling scheme would commence during the LDP period, its inclusion within the LDP would contravene national policy. **IC18** would accordingly delete the scheme.
- 10.21 **IC18 Delete SSA 18.1 Tonyrefail Bypass and Ynysmaerdy to Coed Ely Dualling proposal, the related part of Appendix 1(d) and the line shown on the Proposals Map.**
- 10.22 SSA 18.2 refers to safeguarding land and provision for the A473 Llanharan Bypass. The western section of the bypass has already been constructed in association with the planning permission for film studio and other development at Llanillid and a further central section was under construction during the examination. The further works relate to the eastern section of the by-pass which would pass over the main Cardiff-Swansea railway to rejoin the existing A473 east of Llanharan. Two routes are indicated for the easternmost section. The Council explained that these are alternatives and that only one would be constructed. There is currently no evidence to favour one route over the other and both would lie outside the defined settlement boundary within a proposed Green Wedge area. Whilst representations have been made which seek the amendment of the settlement boundary and the allocation of land on one of the routes for development, that development is not needed and the Green Wedge designation is supported. The inclusion of both alternative routes will not cause undue blight and it is appropriate that both should be shown on the Proposals Map.
- 10.23 The completion of the full by-pass has previously been made a condition of some of the commercial development on the southern part of the OCC Llanillid site. However that development is not currently going forward. The developers dispute the need to provide the full by-pass for access to the SSA 9 housing development. Modifications already made or proposed to the wording of that policy and text allow for alternatives in some circumstances (See Policy SSA 9 above). Nevertheless, the by-pass may still prove to be necessary to serve that development and other commercial development at Llanillid. It would also probably be needed to provide access to a new M4 junction if that were to be constructed, as provided for in previous permissions on the Llanillid site. In the absence of any other identified main funding source, the by-pass costs would need to be met wholly or mainly from developer contributions associated with the extensive development in the area. In these circumstances the inclusion of the by-pass in the LDP is justified. However, for consistency with other changes made to references to the by-pass and to the removal of the land south of the by-pass route from the boundary of the SSA 9 allocation, **IC19** would amend Appendix 1(d) to remove the reference to the by-pass being 'essential' to the implementation of the strategic site.
- 10.24 **IC19 Amend the second line of the paragraph headed SSA 18 (2) A473 Llanharan Bypass in Appendix 1(D), by deleting the words 'is essential to' and replacing them with 'would assist with'.**
- 10.25 SSA 18.3 would safeguard land for the dualling of the Talbot Green by-pass and for junction improvements which would include the improvement of the A4119/A473 junction. Whereas the need for that and other junction improvements was identified in the EB81 Infrastructure Needs Studies, the full dualling of the road was not. However the Council and others are understandably concerned about the general

implications of traffic growth in this vicinity and much of the land is already owned by the Council. Whilst developer contributions would be justified towards the junction improvements and they may also entail local widening of the A473, that would not necessarily apply to the full scheme. Nevertheless there is a reasonable prospect of the scheme commencing within the LDP period and the inclusion of the scheme in the LDP is justified.

*Policies NSA 21/SSA 20 – Park and Ride/Park and Share Provision*

10.26 The identification in development plans of sites for park and ride facilities is generally supported by national and regional policy. LDP Policies NSA 21 and SSA 20 identify 10 sites for park and ride/park and share facilities. However **MAC97** would delete the allocation within SSA 8 Mwyndy/Talbot Green as referred to above in relation to Policy SSA 8. **MAC117** would delete related references at LDP paragraphs 6.173 and 6.174. The allocation *SSA 20.2 Land South of Makro, Parc Nantgarw* would be on a site that is also under development for employment/education purposes. In Document EB14, the Council explained that the park and ride/park and share facility would only involve shared use of the site's parking facilities when not required for education/employment – principally in the evenings or at weekends and outside term times. That would significantly limit the utility of the facility but the SSA 20.2 allocation remains fundamentally realistic and sound.

*Policies NSA 22/SSA 19 – Rail Network and Station Improvements*

10.27 NSA 22 would safeguard the rail freight line from Aberdare for rail network improvements including station 'improvements' at Hirwaun and at the former freight head so as to permit the extension of existing passenger services. The scheme was not included in the SEWTA Rail Strategy and may not be implemented until towards the end of the LDP period. However the line is in place and there would appear to be sufficient room to accommodate simple passenger facilities.

10.28 SSA 19 would safeguard land along a disused railway for rail network improvements between Pontyclun and Beddau with station 'improvements' at 4 sites. This would allow for the development of a new passenger service with new stations. The scheme was included in the SEWTA Rail Strategy and will be considered in a review of that strategy. It is not included for implementation within the 5 year RTP programme and much of the former railway line has been lifted. Further technical investigations are needed including: the precise size and location of stations; the facilities for crossing the line to and from the proposed Talbot Green town centre and for accessing the station; the safety and suitability of the level crossing of the Talbot Green Bypass; and decisions about whether through services to Cardiff are practicable or whether a change of trains would be necessary at Pontyclun. The implementation and its timing would be a matter for the Welsh Assembly Government. Many rail services are supported by subsidy for their wider social or economic benefits and it is not necessary to demonstrate that the services would be financially self-supporting in revenue terms for them to be included in the LDP.

10.29 Both schemes need further investigation and neither scheme is certain to be implemented during the LDP period. However if they are not, TAN 18 paragraph 8.23 allows for the safeguarding of disused railway lines for re-use for transport purposes after the end of the plan period. The removal of the safeguarding policies would be likely to lead to development on the routes that would prevent the future reinstatement of services and the valuable contribution they would make to

sustainable travel and to addressing the rising demand for such services in South East Wales. The inclusion of both policies is sound.

*Policies NSA 23/SSA 21 – Cycle Network Improvements*

10.30 The provision of cycle facilities is supported by national and regional policies, particularly as an alternative safe means of transport to the car. The routes shown on the Proposals Map would allow for local variations at the detailed design stage. Whilst some Representors seek access to the routes as bridleways, the smooth tarmac finish preferred for cycling will not be suitable and alternative provision can be made for horse riding as a leisure activity outside the LDP process through the Rights of Way Improvement Plan required by the Countryside and Rights of Way Act 2000.

*Other Transport Schemes sought by Representors*

10.31 Other schemes have not been subject to feasibility work or SA and there is a lack of evidence to justify the need for the schemes or to demonstrate that there is any prospect of their being commenced within the LDP period. The LDP is sound without the inclusion of these proposals.

**Recommendation**

10.32 That in order to make the Plan sound the following changes are recommended:

**MAC97, MAC109, MAC110, MAC117, MAC135**

**IC07, IC18, IC19**

**11 WASTE MANAGEMENT**

11.1 The Council aims to meet the requirements of the South East Wales Regional Waste Plan through: identifying sites capable of accommodating a range of waste management facilities at a regional level and directing proposals to meet sub regional needs to existing and allocated B2 employment sites.

*Policy CS 9 – Waste Management*

11.2 The evidence base submitted to support the LDP shows a generous supply of employment land across RCT. There is no reason to doubt the Council's assertion that sufficient areas lie outside Flood Risk Zone C and, therefore, are suitable for waste management facilities. The Council is also preparing an employment landbank and flood risk can be incorporated in its production. Although outside the LDP process, that approach is endorsed as it would inform future assessments of supply. The evidence base shows that the Plan makes adequate provision at a range of locations across RCT. There is, therefore, no need for the allocation of additional sites.

11.3 **MAC12** would, in part, amend Policy CS9 to ensure clarity regarding regional and sub regional provision.

11.4 Policy CS 9 states that waste management facilities will be permitted on existing and allocated B2 employment sites. The LDP is quite clear in that regard and it is not considered necessary to provide a cross reference to Policies NSA 14 and SSA 14.

- 11.5 There is a variety of type and size of waste management facilities and there are likely to be more as technology develops. It would not be practicable to identify which employment sites could accommodate different types of facility. Doing so may constrain other development that could provide much needed employment.
- 11.6 Developers would be able to use the Council's emerging employment landbank to identify sites. In light of the existing and allocated supply and range of employment sites it seems unlikely that a developer would not be able to find a suitable site for a waste management facility.
- 11.7 Policy CS 9 directs waste management facilities to existing and allocated B2 sites, areas which have already been deemed suitable for heavy and dirty industrial processes. The LDP includes a suite of policies covering matters such as landscape, ecology and environmental protection. These policies would be material in considering proposals for waste management facilities and there is no need for a specific policy.
- 11.8 The CS 9.2 Hirwaun Industrial Estate allocation is limited to waste management in-building processes and excludes a residential area and a SINC. Proposals to designate the site additionally for recycling and renewable energy purposes are unnecessary as recycling is already part of waste management and renewable energy is covered by LDP Policy AW 12.

#### *NSA 28/SSA 25 – Provision of Community Recycling Facilities*

- 11.9 The recycling facilities listed in Policies NSA 28 and SSA 25 are all in place and are all either owned or controlled by the Council (the facility at Treforest is subject to a 999 year lease). The Council agreed at the examination that, as landowner, it has control over these facilities and consequently there is no need to safeguard them through the planning system. Accordingly, MAC62 and MAC98 would delete both policies and their reasoned justification and make associated changes to the Proposals Map. MAC12 would delete a cross reference to these policies from Policy CS 9.

#### **Recommendation**

- 11.10 The following minor changes which the Council wishes to make to improve the clarity or accuracy of the Plan are endorsed:

MAC12, MAC62, MAC98

## **12 MINERALS**

### *Policy CS 10 - Minerals*

- 12.1 Policy CS 10 was amended by FC 4. **MAC13, MAC14, MAC15, and MAC16** propose further changes.
- 12.2 The Minerals Background Paper (EB 76) provides the evidence necessary to support Policy CS 10. *Minerals Technical Advice Note (Wales) 1, Aggregates* (MTAN 1) requires a minimum 7 year landbank of sand and gravel to be maintained throughout the plan period. There has been no extraction of sand and gravel in RCT for many years and, therefore, no past production rates on which to base a landbank. However, MTAN 1 recognises that South Wales is largely dependant on marine-won sand and gravel and that land-based extraction is not considered appropriate at this

time. In line with MTAN 1, the Council take the pragmatic approach of safeguarding the limited resources that exist in RCT through the LDP and, in addition, providing the opportunity for extraction prior to development in appropriate circumstances. In light of the specific circumstances in RCT, this is a sensible approach which outweighs the advice in paragraph 49 of MTAN 1.

- 12.3 Nevertheless Policy CS 10.1 could be misinterpreted and **MAC13** would therefore make it clear that the 10 year landbank of permitted aggregate reserves referred to is a minimum to be maintained throughout the life of the Plan.
- 12.4 RCT is blessed with an extensive sandstone resource but the only active quarry is at Craig y Hesg, near Glyncoch. Delivery is a key element of the LDP process. Therefore, in the absence of any other active workings, the decision to identify an extension to this quarry in the LDP as a preferred area of known mineral resource (*Policy SSA 26 – Preferred Area of Known Mineral Resource*) is pragmatic and sensible. It also accords with national policy by maintaining a deliverable landbank facilitating the supply of an important resource.
- 12.5 Any proposal to extend the quarry would be subject to Policy CS 10.6 (as amended) and other policies in the Plan designed to protect, amongst other things, residential amenity, landscape and ecological interests. Such matters will also determine, amongst other things, the area to be excavated. For this reason, the Council's proposal to identify a Preferred Area rather than to allocate a Specific Site is reasonable. As the policy is sound there is no need to consider alternative uses for the land.
- 12.6 Focussed Change 34 included the school building within the Glyncoch settlement boundary whilst continuing to exclude the remainder of the school grounds. However whilst the desire of Representors to further extend the settlement boundary relates to their opposition to the extension of the nearby quarry, the assessment of the impact of such a development would necessarily be based on actual effects and not on policy lines. Continuing to exclude the playing field from the settlement would have no material effect on that assessment. As there is no evidence of any need to redevelop the school site for other purposes, neither would extending the settlement boundary have any benefit in promoting new built development on the school playing field. The Focussed Change boundary is therefore sound.
- 12.7 **MAC13** would amend the terminology of Policy CS 10 relating to Preferred Areas to ensure internal consistency and compliance with national policy and is recommended to make the Plan sound. The Plan should be read as a whole and there is no need for a cross reference to Policy SSA 26 within Policy CS 10.
- 12.8 In addition to Policy CS 10 the LDP includes a suite of policies covering matters such as landscape, ecology and environmental protection. These policies would be material in considering proposals for minerals extraction and there is no need for a specific policy.

#### Coal

- 12.9 The requirement in MPPW for LDPs to identify where coal working is unlikely to be acceptable is carried forward by *Minerals Technical Advice Note (Wales) 2, Coal* (MTAN 2) which states that these areas should be shown on the Proposals Map. The Proposals Map does not show such areas. Policy AW 15(c) does no more than repeat national policy regarding the general prohibition against extraction within 500m of a

settlement. Further, for the reasons set out below, the Council agreed at the examination that Policy AW 15 is unnecessary.

- 12.10 However, Policy AW 14.4 excludes coal safeguarding from internationally and nationally designated nature conservation sites and within 500m of settlement boundaries. This would not prohibit working in these areas but it gives an indication that working in these areas is unlikely to be acceptable. Further, as discussed above with regard to mineral extraction generally, the LDP includes policies that would discourage working in unsuitable locations. The Council accepted at the examination that the reasoned justification to Policy CS 10 should be strengthened. The change recommended below, together with other policies in the Plan would be sufficient until the Plan is reviewed in accordance with the timetable set out in LDP Wales.
- 12.11 The Council's proposed changes in MAC15 and MAC16 would make the LDP clearer by amending the supporting text to policy CS 10.

#### *AW 14 - Safeguarding of Minerals*

- 12.12 The Council agreed at the examination that, in order to be consistent with national policy, the safeguarding areas on the Proposals Map should be revised to exclude settlements. In this regard, given the extent of the coalfield, the safeguarding area will be determined by the settlement boundaries defined in the LDP. Excluding settlements would not prevent prior extraction where appropriate.
- 12.13 Policy AW 14 proposes buffer zones around safeguarded resources. This is not consistent with MPPW which only requires LDPs to identify buffer zones around permitted and allocated mineral extraction sites. To be consistent with national policy **MAC37**, **MAC39** and **MAC126** would amend Policy AW 14, the reasoned justification and the Proposals Map accordingly.
- 12.14 MTAN 2 does not require the safeguarding of tertiary coal resources which are defined as small areas of thin coal. Taking into account the geographical spread of such resources in RCT, the circumstances do not warrant going beyond national policy in this respect.

#### Coal Bed Methane

- 12.15 MPPW advises that LDPs should indicate those areas where gas operations are likely to be acceptable in principle. LDP Wales requires policies with a spatial element to be identified on Proposals Maps. Coal bed methane may only be extracted in areas which benefit from a Petroleum Exploration Development Licence (PEDL). PEDLs are spatial but are not a product of any analysis of environmental, landscape or other land use considerations. For this reason, it is not appropriate for them to be identified on the Proposals Map.
- 12.16 Unlike coal or rock, the extraction of coal bed methane is a discrete operation with very localised impacts. Any proposal to extract gas would be subject to policies in the plan which would direct operations to suitable locations and protect, amongst other things, ecological interests and residential amenity. These matters combine to outweigh the requirements in MPPW and the approach in the LDP is sound.
- 12.17 **MAC29** and **MAC38** rectify errors regarding the location of paragraphs addressing coal bed methane.

### *AW 15 - Community Amenity Protection Zones*

12.18 Policy AW 15 proposed the creation of Community Amenity Protection Buffer Zones which would prohibit minerals extraction within a certain distance of settlement boundaries. Rigid distances would conflict with national policy including MTAN 2 and the submitted Plan does not set out how flexibility can be applied. In light of the agreement that the LDP includes other policies that would enable the Council to resist working in unsuitable locations, **MAC40** would delete Policy AW 15 as unnecessary and **MAC14** would delete an associated cross reference to the policy at CS 10.6.

### *Omission - Land Stability*

12.19 Coal mining has a significant place in the history of RCT and its legacy has implications for future development. In order to minimise the impact of subsidence, MTAN2 requires LDPs to identify past, present or future coal mines. The LDP identifies potential areas for future mining through the safeguarding of primary and secondary coal resources. Tower Colliery, the only remaining deep mine pit in RCT, ceased production in 2009. The Proposals Map does not identify past mining. However, give the extent of the mining legacy in RCT, to show all past workings may be impractical and lead to problems of legibility with regard to the Proposals Map.

12.20 The LDP recognises that, where relevant, the need to address instability and public safety can be factors that weigh in favour of development. The Plan also highlights the need for the area's mining legacy to be a consideration in any new development. At the examination the Council accepted the Coal Authority's offer of information relating to past mine workings. Although these areas would not be identified on the Proposals Map, the Council would be able to use this information to ensure that, together with the LDP and MTAN 2, new development is located and/or designed to take account of any land instability. Issues of public safety and land instability would therefore be adequately addressed and the Plan is sound.

12.21 MAC16 rectifies errors regarding the location and text of a paragraph concerning the legacy of coal mining.

### **Recommendation**

12.22 That in order to make the Plan sound the following changes are recommended:

**MAC13, MAC14, MAC29, MAC37, MAC38, MAC39, MAC40, MAC126.**

12.23 The following minor changes which the Council wishes to make to improve the clarity or accuracy of the Plan are endorsed:

MAC15, MAC16

## 13 AREA WIDE DEVELOPMENT POLICIES

### *AW 1 – New Housing*

13.1 [See above under Housing]

### *AW 2 – Sustainable Locations*

13.2 Policy AW 2 sets out criteria for the location of development on sites that are not allocated in the LDP. **MAC19**, proposes a series of changes to Policy AW 2 and its reasoned justification. Criterion 1 would be amended to correct a typographical error. Criterion 5 would be amended to accord with national policy on floodrisk in PPW Technical Advice Note 15. Criterion 8 would be deleted, thereby removing blanket restrictions on development within designated Green Wedge areas and nature conservation sites. However a proposed amendment to paragraph 5.8 would confirm that other LDP policies for those areas would still apply. Criterion 9 would therefore become the new Criterion 8. A new Criterion 9 would cross-refer to Policy AW 9 and thus provides that proposals relating to existing buildings in the countryside outside settlement boundaries would not be ruled out by a conflict with Criterion 1. **MAC114** would confirm that applications for rural enterprise dwellings away from settlements are not excluded by the LDP but would be considered in accordance with national policy.

13.3 The amendment of Criterion 5 is recommended as necessary to accord with the soundness consistency test C2. The other changes in **MAC19** and **MAC114** are recommended as necessary to the coherence of the plan and compliance with national policy in accordance with soundness test CE1.

### *AW 3 - Exceptions Sites for Affordable Housing*

13.4 [See above under Affordable Housing]

### *AW 4 - Community Infrastructure and Planning Obligations*

13.5 Policy AW 4 is relevant in part to the provision of affordable housing and that is considered under Policy CS 5 above together with the implications of the Council's proposed changes to the reasoned justification under the reference **MAC21**.

13.6 The Council also proposes as MAC22 to add additional text after paragraph AW 4 to make reference to the Community Infrastructure Levy (CIL). That change is not essential to the soundness of the LDP but is nevertheless endorsed. No other changes are necessary in the interests of soundness.

13.7 The transitional period for the introduction of the CIL will end nationally on 6 April 2014 (and locally on the day that a local authority begins to charge CIL if earlier)(regulation 123(4)). Until the national or local transitional period ends the Council may continue to seek contributions secured through a s106 obligation for development which is capable of being charged CIL.

### *AW 5 – New Development*

13.8 **MAC115** would amend the reasoned justification to add a cross reference to national policy and guidance in relation to climate change, flooding and sustainable

development and is endorsed. No further changes are needed for the LDP to be sound.

*AW 6 – Design and Placemaking*

13.9 Focussed Change FC 18 made some amendments to Policy AW 6. No further changes are needed for the LDP to be sound.

*AW 7 – Protection and Enhancement of the Built Environment*

13.10 Policy AW 7 seeks to protect the historic built environment and will only permit development affecting public open space, allotments and public rights of way if a series of criteria are satisfied. FC19 added the prefix 'historic' to the words built environment. No further changes are needed for the LDP to be sound.

*AW 8 – Protection and Enhancement of the Natural Environment*

13.11 Policy AW 8 seeks in part to protect designated sites including Sites of Importance for Nature Conservation (SINCS), Local Nature Reserves, Wildlife Trust Nature Reserves and Regionally Important Geological Sites. As these are site specific matters, the sites need to be shown on the Proposals Map and not on the Constraints Map which is not itself part of the LDP. The SINC areas in particular only derive their designation status from this policy. Both maps were included in the consultation process. That numerous representations have been made in respect of the definition of the SINCS in the LDP demonstrates that there has been adequate public consultation in this regard. The Council proposes to make these changes to the Proposals Map as Editorial Changes A63-A65.

13.12 FC 20 amended paragraph 5.50 to add a reference to the Special Area of Conservation at Coedydd Nedd a Mellte (part). It also amended the boundaries of SINC 130 and SINC 169. The evidence supports the designation of these and the other SINC sites and the LDP is sound in these respects.

13.13 Editorial change A23 would add to paragraph 5.52 a cross reference to PPW Technical Advice Note 5 and to Supplementary Planning Guidance on Nature Conservation. That is endorsed and no further changes are needed.

*AW 9 – Buildings in the Countryside*

13.14 Policy AW 9 allows for the alteration, renovation and use of existing buildings in the countryside outside settlement boundaries for residential, employment or tourism uses. The Council's proposed MAC23 would allow in addition for community uses which MAC24 would further define in paragraph 5.58. These changes are not essential to the soundness of the LDP but are endorsed as improving the flexibility of the Plan.

*AW 10 – Environmental Protection and Public Health*

13.15 MAC25 would expand the reference to the protection of amenity (which term would be defined) and would add a broad reference to the protection of the environment. It would also clarify the definition of harm and would add a paragraph to confirm that the environment includes the water environment with additional explanation. The change is not essential to the soundness of the policy but is endorsed. No further changes are needed for the policy to be sound.

*AW 11 – Existing Employment and Retail Uses*

13.16 [See above under Employment]

*AW 12 - Renewable Energy*

13.17 Focussed Change FC 22 added a public health criterion and amended paragraph 5.70 to add a reference to community based schemes up to 5MW for small wind turbines and also revised paragraph 5.71 to classify medium wind turbine schemes as those with a capacity of 5MW to 25MW.

13.18 **MAC28** would add wording to the policy and **MAC29** would amend the reasoned justification that would extend its application to non-renewable energy proposals and would provide a specific cross reference to national policy for coal bed methane extraction in MPPW 2000. These changes avoid the need for a separate policy and are recommended for the coherence and soundness of the LDP. No amendment is needed to the Proposals Map in respect of coal bed methane and no further changes are needed for Policy AW 12 to be sound.

*AW 13 – Large Wind Farm Development*

13.19 Policy AW 13 applies to large wind farm developments of 25MW and over and sets out criteria for permitting development. The policy's general support for such development accords with national policy and its replacement by a policy against such development would make the LDP unsound in that regard.

13.20 FC 23 deleted a need requirement from Criterion 1 and a wind resource requirement in Criterion 3. Both matters were addressed in the national identification of Strategic Search Areas and proposals are unlikely to come forward where there would be insufficient need or wind resource. It also amended Criterion 6 in relation to public accessibility to the countryside and added 3 further criteria that had been requested by the Countryside Council for Wales. The Strategic Search Area F (SSA F) boundary was added to the Proposals Map and additional reasoned justification was added after paragraph 5.77. However the Council now proposes a series of further changes.

13.21 The addition of the SSA F boundary to the Proposals Map would contravene PPW Technical Advice Note 8 *Planning for Renewable Energy* as the boundaries have yet to be refined. The Council is undertaking work with SEWSPG on the refinement process. To address these matters: **MAC30** would delete the word 'refined' from Criterion 1; **MAC34** would delete the SSA F Boundary from the Proposals Map; **MAC35** would add text to paragraph 5.76 to refer to the refinement process; and **MAC36** would add a reference to Supplementary Planning Guidance at paragraph 5.78. These changes are recommended for the LDP to be sound in respect of its conformity with national policy.

13.22 The prevention of the significant loss of stored carbon in soils, peat and ancient woodland is addressed in general terms in TAN8 as part of the SSA F designation and deep peat is a micro level issue that can be addressed at the planning application stage using Policy AW 8. **MAC32** would remove the relevant criterion in the policy and is recommended as necessary for the plan to be sound in respect of its conformity with national policy.

13.23 The criterion introduced by FC 23 that related to the protection of the national park is appropriate in circumstances where the SSA F boundaries have yet to be refined.

Even were the criterion deleted, the effect on the Brecon Beacons National Park would still require consideration as part of the landscape impact and the inclusion of the criterion makes it less likely that this would be overlooked.

13.24 Noise and other effects on residential amenity are frequently at issue when large wind farm development proposals are considered. National policy on wind farm noise refers to guidance in *"The Assessment and Rating of Noise from Wind Farms (ETSU–R-97) Report"*. **MAC33** would accordingly add a cross reference to that guidance after Policy AW 13. In that regard Criterion 4 seeks that wind farms are located a minimum 500m from the nearest residential property. That distance is drawn from a reference to 'best practice' in TAN 8. However noise emissions and immissions can vary with the type and scale of the equipment. A noise assessment may demonstrate that satisfactory noise immissions in conformity with ETSU can be achieved at a closer distance, particular at properties occupied by those with a financial interest in the wind farm, such as the landowner, where ETSU allows for higher noise limits. The topography of the valleys also means that a simple horizontal measurement on a map may not accurately represent impact if the turbines are at high level and the dwellings are in a valley. **MAC31** would add wording to Criterion 4 that would permit the turbines to be located closer than 500m if there would be no unacceptable impact on human health and is recommended for the LDP to be sound in its conformity with national policy.

#### *AW 14 – Safeguarding of Minerals*

#### *AW 15 – Community Amenity Protection Buffer Zones*

13.25 [For both policies, see above under Minerals]

#### *AW XXX – Gypsies and Travellers*

13.26 Some of the wording in the policy added by Focussed Change 6 does not conform with national policy in *Circular 30/2007 Planning for Gypsy and Traveller Caravan Sites* (Circular 30/07) or its appended good practice criteria. Circular 78/91 Travelling Show People is also relevant.

13.27 Criterion (ii) seeks to require that a local need be identified but does not refer to how that is to be done. Circular 30/07 provides that the need for sites for Gypsies and Travellers should be based upon a Local Housing Market Assessment or other robust evidence in accordance with Sections 225 and 226 of the Housing Act 2004. Such an assessment has not yet been carried out. The Circular does allow for interim arrangements and a Gypsy and Travellers Study (2007) is referred to in the reasoned justification. However that has only been prepared in Draft form using existing data sources and it concluded that these sources do not provide enough quantitative or qualitative information for a detailed and comprehensive assessment to be made and that a specialist survey and/or qualitative research would be needed. In correspondence the Council has confirmed that it intends to keep the requirement for the provision of Gypsies and Traveller sites in Rhondda Cynon Taf under review and that a qualitative assessment of the needs of this group will be looked at in more detail as part of a review of the Housing Market Assessment that is required by national policy. However this should be referred to in the LDP and should not exclude continued review of the quantitative need. **IC23** makes an associated change to the reasoned justification.

- 13.28 Criterion (ii) also includes a clause requiring that qualifying persons have an established link with the locality. However Circular 30/07 Good Practice Guidance cites as unacceptable a clause that requires people who are by definition of a nomadic habit of life should have established local links. Moreover there is no definition of locality, for example whether it includes working or residing in neighbouring local authority areas, and no means is suggested for determining that future occupiers would also so qualify. **MAC131** would remove this criterion.
- 13.29 Criteria (iii) and (v) are not needed as proposed as accessibility, safe access, and the avoidance of congestion are already covered by LDP Policy AW 5(C). **MAC131** would remove criterion (v) but retain amend criterion (iii) with an amended requirement that a site 'Is reasonably related to local services'.
- 13.30 Criterion (ix) effectively requires all sites to be screened. However landscaping and planting is already a criterion of LDP Policy AW 6(7). Paragraph 4 of Annex B to C30/07 advises against enclosing a site with high walls or fences which can be visually intrusive and can give the impression of deliberately isolating the site and its occupants from the community. The further Criterion (ix) test that the site will have 'no effect' on character and appearance of the area is a higher test than that required for all other development by Policy AW 5(A)1. Criterion (x) duplicates other LDP policies. The existing LDP Policies are sufficient and Criteria (ix) and (x) are not necessary. **MAC131** would remove both criteria.
- 13.31 Whilst it is not explicit, Criterion (xi) effectively requires all residential Gypsy or Traveller sites to be located within settlement boundaries in the Southern Strategy Area and only within or adjacent to settlement boundaries in the Northern Strategy Area. However paragraph 36 of Circular 30/07 provides that rural settings are acceptable in principle where not subject to specific planning or other constraints and Annex B to Circular 30/07 treats criteria to prevent encroachment on the countryside as unrealistic and unacceptable. Other plan policies are available to prevent development in unsuitable locations. **MAC131** would delete the criterion.

#### *Other Area Wide Policy Omissions*

- 13.32 There is no need for separate policies for the re-use or redevelopment of existing health related sites. Other LDP policies provide adequately for different forms of development on these sites.
- 13.33 Similarly general LDP Policies, supplemented by national policy in PPW Technical Advice Note 19 "Telecommunications" provide adequately for that form of development without any evidence of need for a different local policy.

#### **Recommendation**

- 13.34 That in order to make the Plan sound the following changes are recommended:

**MAC19, MAC21, MAC28, MAC29, MAC30, MAC31, MAC32, MAC33, MAC34,  
MAC35, MAC36, MAC114, MAC115, MAC131  
IC23**

- 13.35 The following minor change which the Council wishes to make to improve the clarity or accuracy of the Plan is endorsed:

MAC22, MAC23, MAC24, MAC25

## 14 TOURISM, LEISURE AND COMMUNITY FACILITIES

- 14.1 The LDP does not include policies or site allocations that apply exclusively to tourism, community and leisure facilities. However some mixed-use site allocations provide for the inclusion of new facilities and there are also policies to require the provision of community infrastructure and open space where needed to support other development. A number of general policies would apply to proposals for tourism, community and leisure development on unallocated sites elsewhere.
- 14.2 Policy AW 2 supports development proposals in sustainable locations. Criterion 1 defines these as being within settlement boundaries and with good accessibility, amongst other considerations.
- 14.3 Policy AW 9, as proposed to be changed by **MAC23** and **MAC24** (see above) would support the alteration, renovation or conversion for tourism or community use of existing buildings outside settlement boundaries. Policies AW 11, NSA 15 and NSA 16 could also allow for some development on redundant employment or retail sites or as part of employment led-mixed use development and do not exclude the development of new buildings on such sites.
- 14.4 The LDP policies are sound and would make adequate provision through these mixed allocation and general policies for tourism, community facilities (including places of worship) and leisure development. There is no need for a separate LDP policy to cover every type of development when general policies are adequate in that regard. The general policies to concentrate development within settlements and at accessible locations accord with national policy objectives for sustainable development. These objectives include reducing the need to travel and providing alternative means of access other than the car. The policies for the re-use of countryside buildings and redundant employment sites provide additional flexibility.
- 14.5 No further changes are needed for the LDP to be sound in respect of tourism, community and leisure development.

## 15 MONITORING AND REVIEW

- 15.1 In the submitted LDP, Chapter 7 refers to the Monitoring and Review Framework. Following representations and discussion at the examination, **MAC100** proposes the substantial amendment and enlargement of the Chapter to provide a clearer definition of the Targets and the Core and Local Output Indicators that also reflects advice in the Local Development Plans Manual (2006). The changes are recommended as necessary to accord with soundness test CE3 which requires clear mechanisms for monitoring.

### Recommendation

- 15.2 That in order to make the Plan sound the following change is recommended:

### **MAC100**

## 16 INFRASTRUCTURE

- 16.1 **MAC111** would add an Appendix which sets out the predicted infrastructure requirements associated with the LDP proposals. Whilst this is not an essential

requirement of an LDP in Wales, it would here assist the Plan in meeting the soundness test CE3 requirement for clear implementation mechanisms.

### **Recommendation**

16.2 That in order to make the Plan sound the following change is recommended:

#### **MAC111**

### **17 GLOSSARY**

17.1 The LDP includes several important policy terms that are open to different interpretations. These include: previously developed land; greenfield land; open space; net density; and gross density. To improve certainty and reduce disputes over these terms, MAC121 and MAC122 would add definitions to the Glossary.

17.2 The following minor changes which the Council wishes to make to improve the clarity or accuracy of the Plan are endorsed:

MAC121 and MAC122

### **18 LIST OF SUPPLEMENTARY PLANNING GUIDANCE**

18.1 Appendix 5 of the LDP refers to Supplementary Planning Guidance (SPG) to be issued by the Council. Whilst SPG documents have been included in the Evidence Base, the Documents are not subject to examination and are not endorsed. MAC128 would update the list of SPG and would remove an out of date reference to when they would be issued.

18.2 The following minor change which the Council wishes to make to improve the clarity or accuracy of the Plan is endorsed:

MAC128

### **19 MINOR EDITORIAL, FACTUAL AND TYPOGRAPHICAL CHANGES**

19.1 The Council wishes to make several minor changes to the submitted LDP in order to clarify, correct and update various parts of the text. Although these changes do not address key aspects of soundness, they are endorsed on a general basis in the interests of clarity and accuracy. These changes are shown in Schedule C.

### **20 OVERALL CONCLUSIONS**

20.1 It is concluded that, with the recommended amendments, the Rhondda Cynon Taf Local Development Plan satisfies the requirements of section 64(5) of the 2004 Act and meets the procedural, consistency and coherence and effectiveness tests of soundness in Local Development Plans - Wales.

*Robert Mellor* INSPECTOR

**Schedule A** Matters Arising Changes put forward by the Council (plus Pt1 & Pt2 Appxs.)

**Schedule B** Inspector's Changes

**Schedule C** Minor editorial, factual and typographical changes put forward by the Council