



LAND TO THE EAST OF ST. NICHOLAS
PLANNING STATEMENT ON BEHALF OF REDROW HOMES

4610/ARM/caj
Harmers Limited
February 2015

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1 Introduction

1.1 This planning statement has been prepared to accompany a detailed planning application by Redrow Homes for the construction of 79 dwellings at land to the east of St. Nicholas. The purpose of the statement is to provide the justification for the granting of planning permission for the site which is allocated for housing in the emerging Local Development Plan.

1.2 The planning statement should be read in conjunction with the following documents which are also submitted with the planning application. These are:-

Design and Access Statement

Ecological Assessment (Ecology Solutions)

Archaeological Evaluation (Cotswold Archaeology)

Agricultural Land Considerations (Kernon Countryside Consultants)

Tree Survey (Treescene)

Landscape and Visual Assessment (Catherine Etchell Associates)

Transport Statement (Vectos)

Drainage Strategy (Phoenix Design)

1.3 The application site is approximately 3.65 ha in extent and lies to the east of St. Nicholas. The site consists of agricultural fields with the western and southern boundaries bounded by residential properties and the northern and eastern boundaries which are defined by hedgerows lying adjacent to countryside. The application site area includes the property named Emmaville which is in the Conservation Area and is proposed to be demolished to provide vehicular and pedestrian access onto the A48. The application site area includes the majority of the land allocated for residential development in the Deposit Local Development Plan. The two fields in the south-east of the deposit LDP allocated site are excluded but access will be provided to the boundary ensuring a comprehensive development of the site.

1.4 The properties which are adjacent to the southern boundary of the site are within the St. Nicholas Conservation Area but the properties adjacent to the western boundary including the more modern development at Ger-y-Llan are excluded from the Conservation Area.

2. Planning History

2.1 The Council has confirmed that there is no planning history for the identified sites.

3. EIA Screening

3.1 The site was subject to a request for a screen opinion on the 4th December 2013. The Council issued its screening opinion on the 15th January 2014, confirming that an Environmental Impact Assessment is not required.

4. Pre-application Advice

- 4.1 The application site was subject to a pre-application meeting held on the 22nd January 2014 which was followed by a response letter from the Council dated the 5th February 2014. A copy of this letter is included as **Appendix A**.
- 4.2 With regard to the development plan context the Council's letter states that "*any consideration of the proposals under the draft Local Development Plan Policies would be considered premature*". The letter also states that whilst at the time there was a deficiency in the 5 year housing land supply the Council were confident this deficiency would not exist in the next year's study (2014) thereby removing the justification for bringing the site forward prior to the adoption of the LDP. The 2014 JHLAS study indicates a 7.3 year supply.
- 4.3 The pre-application letter also states vehicular access via Ger-y-Llan is considered to be unsuitable and direct access off the A48 would be the most suitable option. The Council also advises that careful consideration should be given to ensure that the proposed development would not have any adverse impact on the character of the Conservation Area through the use of sensible and suitable house design/layout and landscaping. The letter also identifies several other material considerations including drainage, archaeology, potential neighbour impact, ecology and tree impact which have all been taken into account in the submission of the detailed planning application.

5. Description of Development

- 5.1 The planning application is for 79 dwellings including associated open space, landscaping and the demolition of the property known as Emmavale to provide access onto the A48. The housing layout includes a mix of detached and terraced housing and 35% affordable housing.
- 5.2 Careful consideration has been given to the layout and design of the proposed development to ensure that it will integrate well with the existing village and not have an unacceptable effect on the Conservation Area. The house types are from Redrow's Heritage Range which are based on the Arts and Crafts movement reflecting the style of some of the buildings within the village, for example Westways, Village Farm, Church Hall and Church Hall House. In order to integrate with the village the layout includes a mixture of dwellings some of which will be finished in white rough cast render and the remainder in brick with roofs a mix of slate grey/mixed russet tiles. The layout and design has also been informed by the landscape appraisal of the site which emphasises the need to maintain the rural character of St. Nicholas. In order to achieve this existing field pattern has been retained, gapping up existing hedges where necessary and planting a new hedge along the fenced boundary behind plots 48-53.
- 5.3 Within the site there will be one Local Equipped Area of Play and one Local Area of Play which are provided in the central part of the site for ease of access for residents.

- 5.4 Vehicular access will be provided directly off the A48 with a new priority T-junction. The access road will be 5.5m wide with 2m wide footways either side. The internal road layout provides an access to the remainder of the allocated site.

6. Planning Policy Context

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that in determining a planning application the determination must be in accordance with the development plan unless material considerations indicate otherwise. The development plan is the Vale of Glamorgan Unitary Development Plan 1996 – 2011 which was adopted in 2005. The relevant policies in the UDP are:

ENV1 - development in the countryside
ENV2 - agricultural land
ENV4 - special landscape areas
ENV10- conservation in the countryside
ENV11- protection of landscape features
ENV16- protected species
ENV27 - design of new developments
HOUS2 – additional residential development
HOUS3 – dwellings in the countryside
HOUS8- residential development criteria
HOUS12- affordable housing
TRAN10 - parking

- 6.2 Under the existing Unitary Development Plan the site falls outside of the St. Nicholas settlement boundary and consequently policies H3, ENV1 and ENV10 are particularly relevant to the proposal.
- 6.3 However, whilst there is conflict with UDP policies, the UDP is time expired as it only covers the period 1996 to 2011 and the settlement boundaries on which it is based were drawn on the basis of making housing provision up to 2011.

- 6.4 Paragraph 2.7.1 of Planning Policy Wales (Edition 7, 2014) states the following:

*“Where development plan **policies** are outdated or superseded local planning authorities should give them decreasing weight in favour of other material consideration, such as national planning policies in the determination of individual applications. This will ensure that decisions are based on policies which have been written with the objective of contributing to the achievement of sustainable development (See 1.1.4 and Sections 4.2).”*

- 6.5 Paragraph 4.2.4 of Planning Policy Wales states

“Where relevant development plan policies are considered outdated or superseded there is a presumption in favour of proposals in accordance with the key principles (see 4.3) and key policy objectives (see 4.4) of sustainable development in the planning system.”

6.6 Planning Policy Wales also provides advice on prematurity. Paragraph 2.6.3 states:

*“Questions of **prematurity** may arise where an LDP is in preparation but the plan has not yet been adopted. In these circumstances refusing planning permission on grounds of prematurity may be justifiable in respect of development proposals which are individually so substantial, or whose cumulative effect would be significant that to grant permission would pre determine decisions about the scale, location or phasing of new development which ought properly to be taken in the LDP context. Refusal will therefore not usually be justified except in cases where a development proposal goes to the heart of a plan..... A refusal might be justifiable where a proposal would have a significant impact on an important settlement, or on a substantial area, with an identifiable character, but is rarely justifiable if a development proposal is likely to impact upon only a small area.”*

6.7 The submitted planning application cannot be considered to be individually so substantial it would pre-determine decisions to be taken in the LDP context. St. Nicholas is defined as a minor rural settlement and in bringing forward of a planning application for the 79 dwellings would not go to the heart of the overall LDP strategy particularly as the site represents a small percentage of the overall housing land requirement for up to 9950 new dwellings over the plan period i.e. 0.79% of the total. It would therefore not be appropriate to refuse the application on the grounds of prematurity as this would be directly in conflict with the advice in Planning Policy Wales.

6.8 The pre-application letter also refers to the five year supply of housing land which currently stands at 7.3 years. Whilst there may be a sufficient supply of housing land at present the situation will change with the April 2015 Joint Housing Land Availability Study. Technical Advice Note 1, Joint Housing Land Availability Studies was published in January 2015 and will therefore provide the context for the preparation of the 2015 Joint Housing Land Availability Study. Section 8 of this document provides advice on transitional arrangements:

“It is recognised that for a temporary period some local planning authorities will not have an adopted LDP, but may have an adopted Unitary Development Plan (UDP). Local Planning Authorities in this position may use their adopted UDP as the basis for calculating their housing land supply, using the residual method, provided that the UDP is still within the plan period at the base date of the JHLAS.”

6.9 The UDP for the Vale of Glamorgan is time expired and it will therefore not be possible to use the UDP as the basis for calculating the housing land supply. Paragraph 8.2 of TAN1 states the following:

“Therefore local planning authorities that do not have either an adopted LDP or a UDP will be unable to demonstrate whether or not they have a five year housing land supply and effectively will be considered not to have a 5-year supply.”

6.10 This means that until the LDP is adopted the Vale of Glamorgan Council will not have a five year supply of housing land. The advice in the Council’s pre-application

letter has therefore been superseded by the publication of the revised TAN1 which means the need to increase the land supply will override the policies of the outdated Unitary Development Plan.

6.11 Paragraph 6.2 of TAN1 states:

“The housing land supply figure should also be treated as a material consideration in determining planning applications for housing. Where the current study shows a land supply below the 5-year requirement, or where the local planning authority has been unable to undertake a study (see 8.2 below), the need to increase supply should be given considerable weight when dealing with planning applications provided that the development would otherwise comply with development plan and national planning policies.”

6.12 The land to the east of St. Nicholas is allocated in the Deposit Local Development Plan under Policy MG2(43). The vast majority of the site was also allocated in the first Deposit Local Development Plan published in February 2012. Following the consultation on the first deposit LDP document the Council approved an extension to the site in October 2013 and the site was included in the second deposit LDP which was subject to consultation over the period November/December 2013. The first deposit LDP was not taken forward due to a change in political control of the Council and some housing sites were taken out and others added but the allocation of the land remained and was extended.

6.13 In order to justify the allocation of the site the Council has carried out detailed assessments of its suitability and its sustainability credentials in two deposit LDPs.

6.14 In order to assist with selecting suitable sites the Council has adopted a site assessment methodology which assess all of the allocated sites against a number of planning, environmental, physical and deliverability criteria. The Council undertook a three stage assessment process which included:-

Stage 1- Spatial Strategy Fit,

Stage 2- Environmental and Physical Constraints and

Stage 3- Sustainability Appraisal to determine how sites performed against sustainability objectives of the Vale of Glamorgan LDP – Sustainability Appraisal Framework.

6.15 The LDP Sustainability Objectives are similar to those sustainability objectives set out in paragraph 4.4.3 of Planning Policy Wales. Therefore in allocating the site in the Deposit LDP the Council has assessed as part of the LDP process that the site is sustainable and in a sustainable location and is therefore compliant not only with the sustainability objectives of the LDP but also Planning Policy Wales.

6.16 With regard to the stage 1 assessment the Council has published a Sustainable Settlements Appraisal Background Paper (September 2013). The methodology in this document follows the guidance in Planning Policy Wales (para 4.7.4) in adopting a settlement strategy which seeks to minimise the need to travel increased accessibility

by sustainable modes and promote a broad balance between housing and employment opportunities to minimise significant commuting distances.

- 6.17 The Background Paper includes a sustainable settlement appraisal scoring system based on accessibility to services/ facilities, bus and rail services and proximity to employment and main settlements. Even though St. Nicholas is categorised as a minor rural settlements it is ranked relatively highly at 15 out of the 87 settlements in the Vale of Glamorgan. The Background Paper states that the rural settlements offer a more limited but important range of key services and facilities. These settlements have scored relatively highly in recognition of the important role and function they play in the rural communities with many of them benefiting from a reasonably frequent rural bus service and/or include a primary school, shop, public house or other comparable services. This is the case with St.Nicholas which also benefits from being within close proximity to the larger towns and villages in the Vale of Glamorgan and close proximity to Culverhouse Cross and Cardiff.
- 6.18 The application site which relates well to the existing settlement of St. Nicholas is therefore in conformity with the spatial strategy of the LDP.
- 6.19 With regard to the Stage 2 assessment there are no environmental or physical constraints which will prevent the site from being developed which has been confirmed by the reports and assessments submitted with the detailed planning application.
- 6.20 With regard to the Stage 3 Assessment a copy of the Council's Sustainability Appraisal of the site is included in **Appendix B** of this Statement with the main contribution to the LDP sustainability objective being the site's ability to provide opportunity for people to meet their housing needs.
- 6.21 The application is accompanied by several reports and assessments which are also relevant to the consideration of the proposal which are considered below.

7. Sustainable Access

- 7.1 The Transport Statement submitted with the planning application assesses the accessibility of the site. The site is located adjacent to a high frequency bus route, served by Stagecoach's X2, Cardiff to Porthcawl service which provides a good level of public transport provision connecting the village with key shopping and employment centres. The nearest bus stops are 250-300 metres from the site. Footway and cycle connections can be provided to the village, via Ger-y-Llan, facilitating direct access to the rest of the village and the St.Nicholas Church in Wales Primary School.
- 7.2 Vehicular access will be provided by a new priority T-junction with the A48 with a new access through the existing property "Emmaville". The junction will provide new 2m wide footways and a right turn ghost island facility and will introduce a change in alignment for traffic travelling along the A48 which will have a traffic calming effect.

It is also proposed to introduce an improvement scheme to bolster the existing gateway feature to further reduce vehicle speeds.

8. Density and Layout of the Development

8.1 The Deposit LDP allocation is for 100 dwellings on the total site area 4.4 ha of which 0.48 ha is allocated for public open space. The application proposes 79 dwellings at a density of approximately 22 dwellings per hectare but includes one LEAP and a LAP. The remainder of the allocated land will be able provide the shortfall in the LDP allocation. Whilst the density of development is fairly low it will be compatible with the existing characteristics of the village where densities are low with dwellings in fairly spacious plots.

9. Landscape and Visual Impact

9.1 The Landscape Assessment considers the impact of the proposed development on the St. Nicholas Conservation Area and the Ely Valley and Ridge Slopes Special Landscape Area.

9.2 The southern boundary of the site lies immediately adjacent to the conservation area boundary and the access road off the A48 will require the demolition of the property Emmavale which lies in the conservation area. The existing hedgerow along the southern boundary of the site with the Conservation Area is weak with gaps and this boundary will be improved by the provision of a more substantial hedgerow. Due to the buffering effect of the Ger-y-Llan development there are no views from the centre of the Conservation Area eastwards towards the site and the setting of the church and village green and other core elements of the Conservation Area will remain unaffected by the development.

9.3 Due to the topography, any views of the site are limited to the edge of the development rather than further inside the site. Most of the views are short to medium range which makes the boundary field patterns more important particularly the trees and hedges along the outside edges of the site, which are able to screen and visually soften the development.

10. Ecological Assessment

10.1 The Ecological Assessment is based on a range of surveys carried out between April and October 2014

10.2 The conclusions of the ecological assessment are as follows:-

10.3 There are no statutory or non-statutory designated sites of nature conservation interest within the application site or wider study for the area. Although it is not considered that any statutory or non-statutory sites the area will be impacted upon by the proposed development, consideration has been given to potential impacts that could arise from dust, noise and run-off.

- 10.4 The habitats within the application site are generally not considered to be of particular ecological importance although the hedgerows have some limited value.
- 10.5 Whilst the hedgerows are to be retained within the application there will be some small losses to two hedgerows to facilitate access and to compensate for the small losses two new hedgerows will be planted in the east of the application site. These will increase connectivity for wildlife through the application site and the wider area.
- 10.6 It is recommended that any areas of new amenity planting within the application site comprise a mix of native species and those species of known value to wildlife in order to increase biodiversity.
- 10.7 No buildings within the application site are considered to be suitable for roosting bats and no evidence of bats was recorded within these buildings during the survey work.
- 10.8 One tree on the western boundary of the site was identified of having some potential roosting bats, but no bats were recorded from the survey and the tree will be retained.
- 10.9 Some foraging activity of bats was found along the hedgerows which are to be retained within the development.
- 10.10 The survey results indicate that badgers could utilise the site and in order to ensure that no impacts occur during any construction activities all contractors working on the should be briefed regarding their potential presence.
- 10.11 Any tree felling or removal of suitable nesting habitat should be undertaken outside the breeding season (March to July inclusive).
- 10.12 Survey work indicates that there is a small population of Greater Crested Newts in two ponds which are both off site and will not be affected by the proposed development. However they could utilise the hedgerows within the site and as a consequence any removal of suitable Greater Crested Newt habitat within the dispersal distance from the pond(s) will require a licence from NRW. Mitigation measures are suggested in order to ensure no unacceptable impacts on the Greater Crested Newts including the use of temporary exclusion fencing and hand searches over an agreed period of time and during the active Newt season.
- 10.13 The ecological assessment concludes that all relevant ecological issues have been addressed and on the evidence of the specific ecological surveys undertaken and with the implementation of a mitigation and recommendations in the report there is no current evidence to suggest that there are any overriding ecological constraints in relation to the land within the application site.

11. Archaeological Evaluation

- 11.1 An archaeological evaluation site was undertaken by Cotswold Ecology in November 2014. The evaluation found that no archaeological features or deposits

except for a single furrow were revealed during the evaluation despite there being potential for prehistoric, Roman and medieval remains within the area.

12. Agricultural Land Considerations

- 12.1 The Agricultural Land Classification Report found that the majority of the site (86%) comprises grade 3a i.e. the best and most versatile with the remainder being grade 3b. Planning Policy Wales sets out the best and most versatile agricultural land should only be developed where there is an overriding need for the development and that previously developed land or land in lower agricultural grades is unavailable. UDP Policy ENV2 also seeks to protect the best and most versatile agricultural land.
- 12.2 Previous sections of this report demonstrate that there is an overriding need to develop the land to meet ongoing housing requirements. Whilst the current JHLAS indicates a 7.3 years supply of housing land this is likely to change in the 2015 study as a result of the publication of revised TAN1 which means that the Council will not be able to achieve a five year supply.
- 12.3 With regard to Planning Policy Wales' requirement to consider previously developed land or land in lower agricultural grades, this is a matter which would have been considered as part of the LDP settlement strategy which identifies St. Nicholas as a sustainable rural settlement capable of accommodating further housing growth. The strategy seeks to allocate housing land in the sustainable rural villages many of which are located in areas which are surrounded by areas of the best and most versatile agricultural land. The allocation of the land in the Deposit LDP means that the Council has accepted that there will be a loss of a small amount of grade 3a agricultural land on this site in order to meet LDP housing requirements.

13. Drainage

- 13.1 The drainage strategy for the site is that all surface water will be managed via various infiltration methods located across the site. Surface water from the adoptable highway will be dealt with separately from the domestic run-off and managed via a traditional piped system to a main cellular storage system within the public open space in the central part of the site. Due to the site topography a small cellular system is required at the entrance to the site to deal with a small catchment. Domestic run-off will be dealt with in a similar way at source and subject to detailed design.
- 13.2 Foul drainage will discharge by gravity to the existing adopted system within the site.

14. Flooding

- 14.1 The site is located within Flood Zone A and considered to be at little risk or no risk of fluvial or tidal/coastal flooding.

15. Conclusions

- 15.1 This planning statement has demonstrated that whilst the submitted planning application is contrary to the some of the policies in the adopted UDP there are overriding material considerations to justify the granting of planning permission. The submitted planning application covers the majority of the site allocated in the deposit LDP and cannot be considered as premature as it is not of sufficient scale to pre-determine decisions about the scale, location or phasing of new development which ought properly to be taken in the LDP context. Planning Policy Wales states that a refusal on the grounds of prematurity will not usually be justified except in cases where a development proposal goes to the heart of the plan. The planning application is for 79 dwellings less than 1% of the LDP total housing requirement.
- 15.2 Whilst the current housing land supply is 7.3 years the Council has recently granted planning permission to Redrow's proposal at Colwinston where it was recognised that there is a requirement to meet ongoing housing requirements. Moreover a revised TAN1 has been recently published by the Welsh Government which means that in next year's JHLAS study the Council will not have a five year supply and TAN 1 advises that the need to increase supply should be given considerable weight when dealing with planning applications provided the development would otherwise comply with development plan and national planning policies.
- 15.3 Planning Policy Wales advises that where relevant development plan policies are outdated, there is a presumption in favour of proposals in accordance with the key principles and key policy objectives of sustainable development in the planning system. The allocation of the site in the deposit LDP followed a process where potential sites were subject to a detailed assessment of their suitability, including a sustainability assessment, and the allocation of the site in the deposit LDP demonstrates that the proposal is in accordance with the key principles and policy objectives of sustainable development.

APPENDIX A: Response letter from Council

Date/Dyddiad: 5 February 2014

Ask for/Gofynwch am: Mr. Steven Rennie

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Your Ref/Eich Cyf:

My Ref/Cyf: P/DC/SR2/2013/00200/PRE

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VALE of GLAMORGAN



Harmers Limited,
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(By email)

Dear Mr Muir,

Town and Country Planning Act, 1990 (as amended)
Application No. 2013/00200/PRE
Proposal: Residential development of up to 100 dwellings
Location: Land East of St Nicholas

I refer to your correspondence received on 5 December 2013 and our subsequent meeting of the 22nd January 2014, concerning the above and your request for pre-application advice. Having considered the nature of submission in detail, I respond as follows.

Local Context and Constraints

The site includes several agricultural fields to the north and east of the village of St Nicholas. The site is to the north of the A48, which is a classified road linking Bridgend with Cardiff, through the village. The site is immediately adjacent to existing dwellings within the village to the west and south, some of which are listed buildings. The site is also immediately adjacent to the St Nicholas Conservation Area.

The site lies outside the 'settlement boundary' of St Nicholas, as defined by the Vale of Glamorgan Unitary Development Plan, and therefore is considered to be in the open countryside in planning policy terms. The site is within the designated Ely Valley & Ridge Slopes Special Landscape Area. There are protected trees both adjacent to and within the site and a Public Right of Way (No 5) crossing part of the land identified.

Relevant Planning History

From an examination of our records, there is no planning history for the identified site.

Relevant Planning Policies

In addition to national guidance contained within Planning Policy Wales, any application would be considered against the Policies within the Vale of

Correspondence is welcomed in Welsh or English/Croesawir Gohebiaeth yn y Gymraeg neu yn Saesneg

Robert Thomas, Director of Development Services/ Cyfarwyddwr Gwasanaethau Datblygu

Glamorgan Adopted Unitary Development Plan 1996 – 2011, details of which are available on the Council's web site by visiting www.valeofglamorgan.gov.uk. The relevant policies would include:

- HOUS 3 (Dwellings in the countryside)
- ENV 1 (Development in the countryside)
- ENV 4 (Special Landscape Areas)
- ENV 10 (Conservation of the countryside)
- ENV 11 (Protection of landscape features)
- ENV 16 (Protected Species)
- ENV 27 (Design of new developments)
- ENV 29 (Protection of environmental quality)
- TRAN 10 (Parking)

Analysis of Proposal

The proposals consist of a residential development, which would essentially form an urban extension to the east of St Nicholas. Circa 100 dwellings are proposed, though there is no indicative layout plan submitted at this stage for us to comment on. No other details or plans have been submitted for comment, though the focus of this response will be in relation to the policy principle of the proposed development and also the point of access into the site.

Principle of development

At present, under the existing Unitary Development Plan adopted policies, this site falls outside of the St Nicholas 'Settlement Boundary' and instead is situated within the open countryside. As such, policies HOUS 3 (Dwellings in the countryside), ENV 1 (Development in the countryside) and ENV 10 (Conservation of the countryside) are particularly relevant. HOUS 3 states that "the erection of new houses in the countryside will be restricted to those that can be justified in the interests of agriculture and forestry". As 100 dwellings are proposed it is clear that the development is not linked with agriculture or forestry. As such, being within a countryside location, the proposals would result in a policy objection.

It is acknowledged that the site is currently being considered as an allocated site (MG 2 – 43) within the draft Local Development Plan, though this is not an adopted plan and therefore the policies are only in draft form at present. It may be some time until this plan is adopted for the Vale of Glamorgan and is subject to change. As such, any consideration of the proposals under the draft Local Development Plan policies would be considered premature. Any application for residential development of this site is therefore considered to be contrary to current policy for the protection of the countryside.

It is noted from our discussions that part of the justification for bringing this site forward for a planning application would be to address any deficiency in the Vale of Glamorgan's 5 year housing land supply. Whilst the 2013 figures did show that the supply was less than 5 years (4.4 years) it is anticipated that following recently approved planning applications that the situation will be much improved when the figure is calculated for 2014. This will not be confirmed until later in the year, though we are confident that there will be sufficient housing land supply as required, thereby removing the justification

to bring draft LDP sites forward prior to the plan adoption.

Site access

Notwithstanding the policy objections outlined above, we have also considered access into the site. This was a subject discussed at length in our meeting. It was advised that the access would be most appropriate directly off the A48. A form of central 'holding lane' may be required, which might in turn require a degree of road widening. This would depend on the traffic and transport information that would be required as part of a planning application submission.

It is clear from our discussions that for reasons not fully disclosed, the option of direct access from the A48 is not being pursued. Instead, access is being proposed via the private lane that connects with the residential cul-de-sac of Ger-Y-Llan. This would incorporate a new one-way system for the public highway, between the War Memorial and St Nicholas Church, linked with the A48. However, as was expressed in our meeting, the additional traffic that would result from up to 100 additional houses should not access the site through the village centre. This is considered an unsuitable arrangement, as the additional traffic would be using narrow, historic roads within the village, which do not have the capacity to cope with significantly increased traffic movements. There is also no guarantee that the one-way system within the village proposed as part of the arrangement would be accepted or welcomed by local residents.

At this stage we would advise that direct access off the A48, which could incorporate a new junction to serve the development which would need to meet current highway standards, would be the most suitable option. Non-vehicular access via the Ger-Y-Llan link could be acceptable and would help permeability and integration between the village and the proposed development. However, this should not include vehicular traffic, for the reasons given above. It is understood that some future residents may drive onto the A48 to travel back into the village, especially for the school, though these would likely be only a small numbers of vehicles given the distance would be within walking distance, thereby negating the need to drive. Also, sustainable modes of transport would have to be promoted, such as through a 'Travel Plan' for the development.

Other issues

Another issue to be considered is the potential impact to the setting of the St Nicholas Conservation Area. As discussed, this proposed development would have the potential to significantly impact the setting of the Conservation Area and would likely be very visible on the approach to the village. Careful consideration should be given to ensuring that the proposed development would not have any adverse impact on the character of the Conservation Area, through use of sensitive and suitable house design/layout and landscaping.

All material planning considerations would need to be assessed, including issues such as drainage, archaeology, potential neighbour impact, ecology, tree impact etc, would be considered in detail with a formal application. As no details of the proposed development have been included at this time we

cannot offer comments regarding these issues. Finally, please note the public right of way through a section of the site, which may have to be diverted as part of any proposed development, which would require the necessary consents to do so.

Overall, I would advise that an application would be premature and currently contrary to policy for any residential development on the site as proposed in the submitted documentation. The site is being considered as an allocated site for residential development as part of the emerging Local Development Plan, though this has not been adopted as policy and may be subject to change. It is considered that there would be no justification relating to housing land supply for allowing this proposed development at this time. It is therefore my opinion that an application at this site would be unacceptable in principle, as a form of residential development within the open countryside.

Required Supporting Documentation

In addition to the submission of standard mandatory supporting documentation such as application forms, plans and a Design and Access Statement (see TAN 12 Design, Appendix 1), please be advised that any application for the above development should also be accompanied by the following additional documentation:

- Flood Consequences Assessment
- Phase 1 Habitat Survey
- Tree Survey
- Archaeological Field Evaluation
- Transport Assessment
- Draft Travel Plan
- Drainage strategy

If any subsequent application fails to include the information above, there is a chance it may not be registered and, in any event, it is likely that an application will either be refused or will not be able to be progressed until its satisfactory submission.

Section 106 Planning Obligations

The Council's approved Planning Obligations Supplementary Planning Guidance (SPG) provides the local policy basis for seeking planning obligations through Section 106 Agreements in the Vale of Glamorgan. It sets thresholds for when obligations will be sought, and indicates how they may be calculated and how they should be delivered.

The Council's approved SPG is available to view/ download at:
http://www.valeofglamorgan.gov.uk/living/planning/planning_policy/supplementary_guidance.aspx

Following consideration of the proposed development and potential impacts and needs arising from the development, if the Local Planning Authority were minded to approve a scheme of this scale I would advise that the Council is likely to seek planning obligations covering the following:

- Affordable Housing (35% for this site)
- Education
- Public Open Space
- Sustainable Transport
- Community Facilities
- Public Art

In addition, the Council would require the developer to pay an administration fee, equivalent to 20% of the application fee or 2% of the total financial contribution being sought, whichever is the greater. This fee covers the Council's costs to negotiate, monitor and implement the terms of the necessary Section 106 agreement.

Further discussion on such matters can, of course, be entered into at the time of an application, or as part of any agreed further pre-application submissions.

Requests for Further Advice

In accordance with the Council's Guidance Note on 'charging for pre-application advice', any further requests for pre-application advice will attract payment of a further fee, and should be made in writing with appropriate supporting documentation.

Development Team Approach – Building Control

Please note if you decide to employ the Councils Building Control team in respect of the proposed development for which you have sought advice, any fees you have paid in respect of this guidance will be taken into account in assessing the relevant Building Regulations fee. All Building Regulations fees are now based on a standard hourly rate with the final fee payable worked out on a risk assessed basis. Accordingly as the Councils officers will have been involved in the project from the earliest stages this will be considered in the final risk assessment based fee for Building Regulations.

Should you have any further questions regarding the above, please contact Mr. Steven Rennie on the above number.

Yours faithfully,

Mr. Steven Rennie
for Operational Manager Development & Building Control

Please Note:

The advice offered in this response represents an informal opinion, provided in accordance with the Council's Guidance Note on 'charging for pre-application advice'. In particular, it is emphasised that while this pre application advice will be carefully considered in reaching a decision or recommendation on an application, the final decision on any application that you may make can only be taken after we have consulted local people, statutory consultees and any other interested parties. It does not, therefore prejudice any decision which the Local Planning Authority may make should the matter come before them in a formal context.

APPENDIX B: Council's Sustainability Appraisal

SA Assessment Criteria: MG2.43 Land to the East of St Nicholas

SITE ASSESSMENT STAGE 3: SUSTAINABILITY APPRAISAL

Assessment Criteria	Effect
Development at the site will have a positive impact on sustainability	++
Development at the site will have a some positive impact on sustainability	+
Development at the site will have a negligible or neutral impact on sustainability. A recorded neutral effect does not necessarily mean there will be no effect at the site level, but shows that at this strategic level there is no identifiable effects.	0
Development at the site will have a slight negative impact on the sustainability.	-
Development at the site will have a very negative impact on sustainability	--
The impact of an issue cannot be predicted at this stage	?
Development at the site would have positive and negative impacts on sustainability	+/-

Sustainability Objective	Appraisal guidance notes:	Assessment Criteria	Effect
1. To provide the opportunity for people to meet their housing needs	<p>The site has the potential to deliver a mix of housing tenures including affordable housing (achievable on larger sites through 106 agreements).</p> <p>Whole or part of the site has been promoted for affordable housing.</p> <p>The site is located in an area of housing need as identified in the Housing Market Assessment Study</p>	The site has the capacity to deliver a range of housing tenures and types, including affordable housing, within the East Vale housing market area where a significant need has been identified.	++
2. To maintain, promote and enhance the range of local facilities	<p>The site is promoted for community, leisure and recreational facilities.</p> <p>The proposal would not lead to a loss of a community facility.</p> <p>The site has the potential to provide community facilities.</p>	The site is not under consideration for these uses and development of the site would not result in the loss of community facilities. The potential exists for the site to contribute towards or provide additional facilities, although any contribution would be small as the site is small.	0

3. To maintain and improve access for all	Existing services and facilities are easily accessible from the site by walking, cycling or public transport.	The site is on the same side of the road as the village facilities. A short walk would bring you to bus stops for the main through regular bus service which operates from Bridgend to Cardiff. The school is accessible via a short walk as is the church. The village has no shops or pubs and the nearest facilities would be at Culverhouse Cross. It is unclear whether suitable access could be obtained via Ger y Lan as the road does not appear to be suitable for additional traffic.	0
4. Reduce the causes of deprivation	The development would lead to improved access to employment, housing, health, education facilities or enhancement of the built environment for wards ranked in the lower Indices of Multiple Deprivation.	Development of the site would have a minor impact on reducing the causes of deprivation, given its location and that it is under consideration solely for housing.	0
5. To maintain, protect and enhance community spirit	The site would not lead to a coalescence of settlements. The site would not result in a loss in recreational land or a community facility.	Development of the site would not lead to the coalescence of settlements and would not result in the loss of recreational land.	0
6. To minimise the causes and manage the effects of climate change	The site would not increase the need to travel and or increase travel distances The site is not located within an area prone to flood risk or would will have a negative effect on the quality of water resources The site is capable of incorporating renewable energy sources or energy conservation measures	The site is located close to the centre of St Nicholas not far from the village core. The nearest shopping is located at Culverhouse Cross approximately 2.5 kilometres away. A local bus service runs along the A48 between Cardiff and Bridgend and the nearest bus stop is approximately 300 metres from the site. The site is not located in an area prone to flooding and sustainable energy could be incorporated into the development.	+
7. To minimise waste	The site will have a positive impact on waste minimisation (e.g. a proposal for new waste management facility).	Development of the site for housing would generate additional domestic waste.	--
8. To use land effectively and efficiently	The site is a brownfield site and / or involves the beneficial re-use of existing buildings. The site is capable of accommodating high density development	The site is greenfield and has been identified as Grade 2 agricultural land the best and most versatile. Development for residential uses should reflect the densities of the surrounding area.	-

9. To protect and enhance the built environment and natural environment	<p>The proposal would have a neutral or positive effect on a conservation area, or buildings or gardens designated as having historic interest.</p> <p>The proposal will have a neutral or positive effect on biodiversity, landscape or nature conservation designation.</p>	<p>The site lies adjacent to the St Nicholas Conservation Area to the south however relatively modern housing is located to the west of the identified site. Future development would need to respect the character of the conservation area as detailed within the conservation area appraisal document. The site is within the Ely Valley and Ridge Slopes Special Landscape Area.</p>	<p>-</p>
10. To provide a high quality environment within all new developments	<p>The development has the potential to support high quality public realm.</p>	<p>There is limited potential for improvements to the public realm and any benefits would be enjoyed largely by future residents.</p>	<p>0</p>
11. To protect, enhance and promote the quality and character of the Vale of Glamorgan's culture and heritage	<p>The site is not located within a nationally or internationally designated ecological site, an Area of Archaeological or Historical Importance (e.g. Ancient monument, listed buildings, conservation area).</p>	<p>The site lies adjacent to the St Nicholas Conservation Area to the south however relatively modern housing is located to the west of the identified site. Future development would need to respect the character of the conservation area as detailed within the conservation area appraisal document. No other designations would be affected by future development.</p>	<p>-</p>
12. To reduce the need to travel and enable the use of more sustainable modes of transport	<p>The site is well served by public transport and accessible by walking and cycling.</p> <p>Services and facilities are easily accessible by a range of transport modes including walking and cycling.</p>	<p>The site is located on the edge of St Nicholas. The village facilities are accessible by walking and cycling however any future residents would be reliant upon the wider range of services and facilities available within centres such as Barry or Culverhouse Cross to meet their regular needs. St Nicholas is served by public transport to Cowbridge/Bridgend and Culverhouse Cross/Cardiff and there are bus stops approximately 300 metres from the site on the A48.</p>	<p>-</p>
13. To provide for a diverse and wide range of local job opportunities	<p>The proposal is for new employment development</p> <p>The site would not result in a loss of employment land that has been identified as having a continued economic role.</p>	<p>The site is not under consideration for employment uses and development would not result in the loss of employment land.</p>	<p>0</p>

14. To maintain and enhance the viability of the Vale's town, district and local centres	The site is located either within a centre, edge of centre or an out of town location.	No impact on Vale town centres. Any occupiers of the development are likely to go to the out of centre development at Culverhouse Cross for there day to day shopping needs as the nearest centre.	0
15. To promote appropriate tourism	The proposal is either for a new or enhanced tourism facility or would not result in a loss of a tourism facility.	The proposal is not for a tourism related use.	0

Effect Summary Table

++	+	0	-	--	+/-	?
1	1	8	4	1	0	0

SA Summary Comments

The site is under consideration for residential development and is located close to the centre of the village of St Nicholas. The site is located close to the main A48 and local bus services operate between Cardiff and Bridgend. Local bus stops are located approximately 300 metres from the site. The site has been identified as grade 2 agricultural land and is within the Ely Valley and Ridge Slopes Special Landscape Area. The site is also adjacent to the St Nicholas conservation area any future development would need to be carefully planned to avoid any adverse impact on these designations.