

**LAND AT UPPER COSMESTON FARM,
LAVERNOCK ROAD,
PENARTH**

ENVIRONMENTAL STATEMENT

**VOLUME 2
CHAPTER 6: PLANNING POLICY**

6.0 PLANNING POLICY

INTRODUCTION

- 6.1 This planning policy framework for the determination of the planning application is provided by national planning guidance, together with the current development plan and approved supplementary planning guidance.
- 6.2 National Planning Policy is contained within Planning Policy Wales (PPW) and is supplemented by 22 Technical Advice Notes (TANs) providing detailed guidance on a range of topics. PPW and the Wales Spatial Plan (which will be replaced by the National Development Framework) provide the overall strategic direction and may be material to decisions on individual planning applications.
- 6.3 The development plan for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004 comprises the Vale of Glamorgan Local Development Plan 2011-2026 (Adopted on 28th June 2017) and relevant Supplementary Planning Guidance.

LEGISLATIVE AND PLANNING POLICY CONTEXT

- 6.4 The following national, regional and development planning policies and guidance are relevant in the determination of the proposed development. The relevant policies are expanded upon in the following paragraphs.
- i. Planning Policy Wales 10th Edition (2018)
 - ii. Building Better Places - 2020
 - iii. Technical Advice Note (TAN) 1: Joint Housing Availability Studies (2015)
 - iv. Technical Advice Note (TAN) 2: Planning and Affordable Housing (2006)
 - v. Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009)
 - vi. Technical Advice Note 8: Planning for Renewable Energy (2005)
 - vii. Technical Advice Note 11: Noise (1997)
 - viii. Technical Advice Note (TAN) 12: Design (2016)
 - ix. Technical Advice Note (TAN) 14: Coastal Planning
 - x. Technical Advice Note (TAN) 16: Sport, Recreation and Open Space (2009)
 - xi. Technical Advice Note (TAN) 18: Transport (2007)
 - xii. Technical Advice Note (TAN) 21: Waste
 - xiii. Technical Advice Note (TAN) 23: Economic Development (2013)
 - xiv. Technical Advice Note (TAN) 24: The Historic Environment (2017)
 - xv. The Wales Spatial Plan – People, Places, Futures (WSP) (adopted in 2004 and updated in 2008)
 - xvi. Consultation on Draft National Development Framework
 - xvii. Vale of Glamorgan Local Development Plan (adopted June 2017)
 - xviii. Relevant Supplementary Planning Guidance
 - xix. Active Travel (Wales) Act 2013

National Planning Policy

The Wales Spatial Plan (2008 Update)

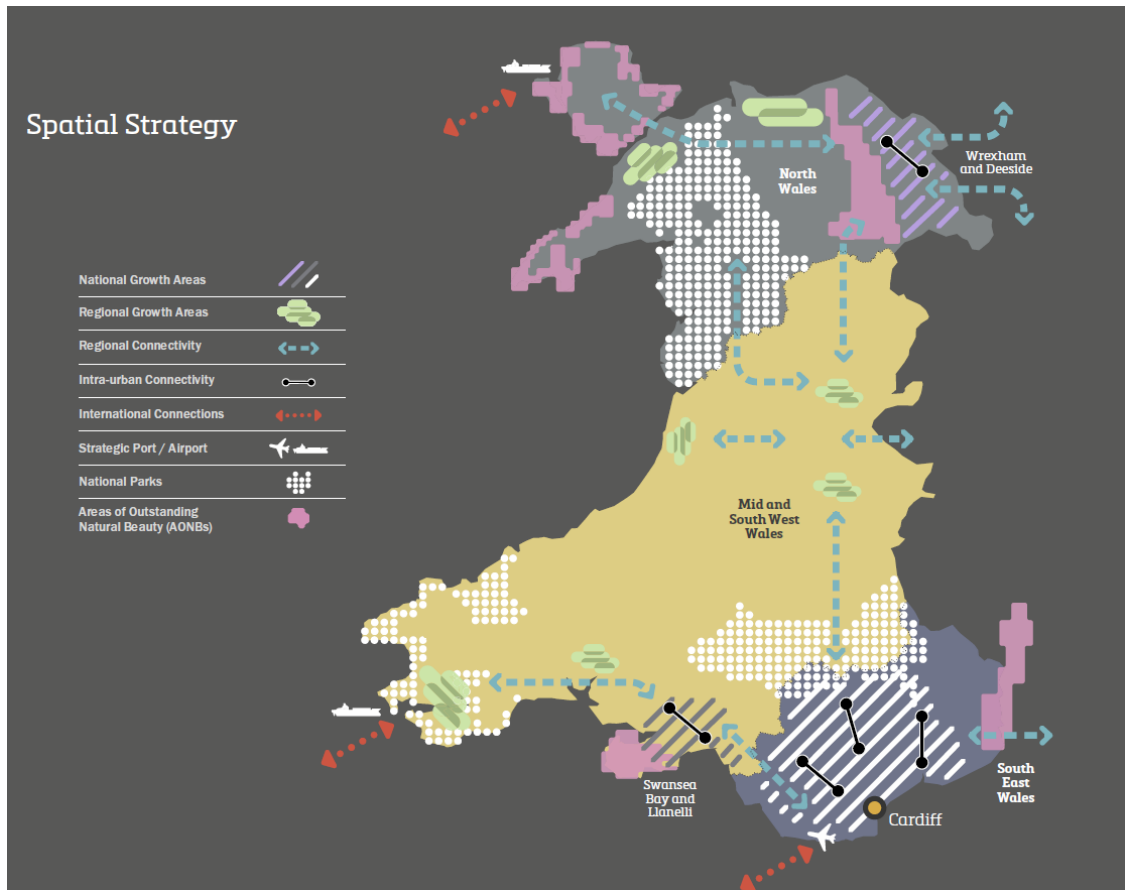
- 6.5 The **Wales Spatial Plan (WSP)** (Updated 2008) provides a framework for the future spatial development of Wales, and integrates the spatial aspects of national strategies, including social inclusion, economic health, transport and environmental policy. Whilst Local Development Plans must have regard to the Wales Spatial Plan, the WSP is not part of the statutory development plan framework. It is intended to be replaced by a new National Development Framework, which at present, is in the early stages of preparation.
- 6.6 The WSP sets out a strategic framework to guide development across Wales, with a core theme that focuses around promoting sustainable development. The WSP sets out visions for different areas of Wales, in this case the South East Wales Capital Network. The site lies within the City Coastal Zone of the South East Wales Capital Network, between the Primary Key Settlement of Barry and Cardiff, which is the Key Settlement of National Importance.
- 6.7 The Vision for the South East Wales Capital Network is stated as:

“An innovative skilled Area offering a high quality of life – international yet distinctively Welsh. It will compete internationally by increasing its global visibility through stronger links between the Valleys and the coast and with the UK and the rest of Europe, helping to spread prosperity within the Area and benefiting other parts of Wales’

Consultation on Draft National Development Framework

- 6.8 The National Development Framework (NDF) was published in draft form on 7th August 2019, and has been subject to consultation. The NDF is a new development plan which replaces the Wales Spatial Plan and aims to set the direction for development in Wales from 2020 to 2040.
- 6.9 The Framework aims to address key national priorities through the planning system, including sustaining and developing a vibrant economy, decarbonisation, developing resilient ecosystems and improving the health and well-being of our communities.
- 6.10 The NDF is the highest tier of development plan and is focused on issues and challenges at a national scale. It forms a framework which will be built on by Strategic Development Plans (SDPs) at a regional level and Local Development Plans (LDPs) at local authority level. SDPs and LDPs are required to be in conformity with the NDF and must be kept up to date.
- 6.11 The Draft NDF contains 11 Outcomes which are overarching ambitions based on the national planning principles and national sustainable placemaking outcomes set out in Planning Policy Wales.

- 6.12 The Draft NDF identifies three distinct regions:
- The **North Wales region** comprises Conwy, Denbighshire, Flintshire, Gwynedd, the Isle of Anglesey and Wrexham;
 - The **Mid and South West Wales region** comprises Carmarthenshire, Ceredigion, Neath Port Talbot, Pembrokeshire, Powys and Swansea; and,
 - The **South East Wales region** is geographically the smallest. It comprises Blaenau Gwent, Bridgend, Caerphilly, Cardiff, Merthyr Tydfil, Monmouthshire, Newport, Rhondda Cynon Taf, Torfaen and the Vale of Glamorgan and is the most populous region of Wales, with over 1.5 million residents, of whom over 150,000 speak Welsh. The region includes the coastal cities of Cardiff and Newport and the former industrial heartlands of the South Wales Valleys.
- 6.13 The NDF Spatial Strategy identifies three urban clusters of cities and towns in each of the regions which will be the focus for growth (See Plan below):
- Cardiff, Newport and the Valleys;
 - Swansea Bay and Llanelli; and
 - Wrexham and Deeside.
- 6.14 It is stated in Chapter 4 – The Spatial Strategy that *‘Choosing to develop new towns and enabling sprawling greenfield development would be to ignore the untapped potential of places which already have town centres, universities and colleges, public transport infrastructure and a good range of public services. It would also squander key assets in the form of productive countryside and natural resources.’*
- 6.15 The Welsh Government has published a range of ‘Estimates of housing need in Wales’ based on different demographic scenarios. The central estimate suggests a need for an additional 114,000 homes across Wales up to 2038. During the initial five years (2018/19 to 2022/23) it is estimated that on average 8,300 additional homes will be required annually, with more than half (57%) of these homes needed in South East Wales, almost a quarter (24%) in Mid and South West Wales and 19% in North Wales.
- 6.16 On average 47% of additional homes should be affordable housing throughout 2018/19 to 2022/23, with the remaining 53% being market housing. This represents an average of approximately 3,900 affordable homes and 4,400 market homes per year over the five year period
- 6.17 The above are reflected in the housing requirements of the three identified regions for 2020-2038, which are:
- North Wales – 19,400 dwellings (51% affordable in initial 5 years)
 - Mid and South West Wales – 23,400 (43% affordable first 5 years)
 - South-East Wales – 71,200 (48% affordable over first 5 years).



6.18 A number of Policies are included. Key policies are summarised as follows:

6.19 **Policy 1 – Sustainable Urban Growth**

Urban growth should support towns and cities that are compact and orientated around urban centres and integrated public transport and active travel networks. Higher density and mixed use development on sites with good access to urban centres and public transport hubs, including new and improved Metro stations, will be promoted and supported.

6.20 **Policy 3 – Public Investment, Public Buildings and Publicly Owned Land**

Welsh Government investments and land holdings will support the delivery of sustainable places. Strategic and Local Development Plans should review publicly owned land, both redundant and in current use, to identify potential sites for development and re-development, including for mixed use and affordable housing developments that will support the creation of sustainable places.

6.21 **Policy 5 – Delivering Affordable Homes**

The Welsh Government will increase delivery of affordable homes by ensuring that funding for affordable homes is effectively allocated and utilised. Strategic and Local Development Plans should identify sites for affordable housing led developments and explore all opportunities to increase the supply of affordable housing.

6.22 **Policy 16 – Strategic Policies for Regional Planning**

Strategic Development Plans should embed placemaking as an overarching principle and should establish for the region (and where required constituent LDPs):

- a spatial strategy;
- a settlement hierarchy;
- the housing provision and requirement;
- the gypsy and traveller need;
- the employment provision;
- the spatial areas for strategic housing and employment growth, renewable energy and the identification of green belts, green corridors and nationally important landscapes;
- the location of key services, transport and connectivity infrastructure;

6.23 It is noted that the draft NDF that was subject to consultation will be amended to address some of the comments received from the consultation. It is noted that this process has been delayed due to COVID-19.

Planning Policy Wales (Edition 10, December 2018)

6.24 Planning Policy Wales (PPW) Edition 10 (December 2018) sets out the land use planning policies of the Welsh Government. It is supplemented by a series of Technical Advice Notes (TANs), Welsh Government Circulars, and policy clarification letters, which together with PPW provide the national planning policy framework for Wales. The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. PPW and the National Development Framework (NDF) set out how the planning system at a national, regional and local level can assist in delivering these requirements through Strategic Development Plans (SDPs) and Local Development Plans (LDPs).

6.25 Sustainable development is defined as:

“Sustainable development” means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals.

Acting in accordance with the sustainable development principle means that a body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. “

6.26 PPW should be read as a whole, as aspects of policy and their application to a particular development proposal could occur in several parts of the document. Where ‘must’ is used in the document it reflects a legislative requirement or indicates where action is needed now to make changes in practice over the long term to achieve strategic outcomes. Where ‘should’ is used it reflects Welsh Government expectations of an efficient and effective planning system.

- 6.27 Up-to-date development plans are the basis of the planning system and set the context for rational and consistent decision making. Plans at all levels of the development plan hierarchy must be prepared in accordance with national planning policies. Planning applications must be determined in accordance with the adopted plan, unless material considerations indicate otherwise.
- 6.28 **Under Section 2 – People and Places – Achieving Well Being Through Placemaking**, 5 Key Planning Principles are highlighted, under the general heading of ***Achieving the Right Development in the Right Place*** which are:
1. ***Growing our economy in a sustainable manner***
 2. ***Making best use of resources***
 3. ***Facilitating Accessible and Healthy Environments***
 4. ***Creating and Sustaining Communities***
 5. ***Maximising environmental protection and limiting environmental impact.***
- 6.29 Under Paragraph 2.20 – ‘*How Must PPW be Used?*’ it is emphasised that development plans and proposals should be prepared within the context of the above key planning principles:
1. The 1st Stage is to assess plans or proposals against the Strategic and Spatial Choices issues and the National Sustainable Placemaking Outcomes;
 2. The 2nd Stage assesses the detailed impact and contribution to Active and Spatial Choices, Productive and Enterprising Places and Distinctive and Natural Places (it is acknowledged that these will vary on a case by case basis);
 3. This process will result in a strategy or proposal which contributes to the sustaining or creation of sustainable places.
- 6.30 Paragraph 2.21 states that planning authorities should ensure that economic, social, cultural and environmental benefits are given equal consideration in the decision making process, by following the 5 ways of working, to ensure that a balanced assessment is carried out and to implement the Well Being of Future Generations Act and the Sustainable Development Principle. There may be occasions where one type of benefit outweighs others, and in such cases robust evidence should be presented to support these decisions.
- 6.31 **Section 3 – Strategic and Spatial Choices**, the document states that effective strategic placemaking requires early collective consideration of placemaking issues at the outset, in the formulation of a development plan, or when developing specific proposals. The policy issues should not be considered in isolation from one another. This includes considering the design of a development and its impacts upon everyday lives as well as thinking holistically about where people might live and work and which areas should be protected.
- 6.32 Paragraph 3.3 emphasises that good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places.
- 6.33 In ‘Considering Design Issues’ in Paragraph 3.16 it is stated that planning authorities should ‘*through a process of negotiation seek to improve poor or average developments which are*

not well designed, do not take account of their context and consider their place, or do not meet the objectives of good design. Where this cannot be achieved proposals should be rejected. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions. If a decision maker considers that a planning application should not be approved because of design concerns they should ensure that these reasons are clearly articulated in their decision and justified with sufficient evidence. In the event of an appeal, in these circumstances, the Planning Inspectorate will need to examine the issues in detail and consider if the proposal meets the objectives of good design including the relationship between the site and its surroundings.'

- 6.34 Paragraph 3.44 states that spatial strategies should be consistent with the Key Planning Principles and contribute towards the National Sustainable Placemaking Outcomes. They should be based on approaches that recognise the mutual dependence between town and country, thus improving the linkages between urban areas and their rural surroundings.
- 6.35 Paragraph 3.46 advocates a broad balance between housing, community facilities, services and employment opportunities in both urban and rural areas, which should be promoted to minimise the need for long distance commuting. Planning authorities should adopt policies to locate major generators of travel demand, such as housing, employment, retailing, leisure and recreation, and community facilities (including libraries, schools, doctor's surgeries and hospitals), within existing urban areas or areas which are, or can be, easily reached by walking or cycling, and are well served by public transport.
- 6.36 Where there is a need for sites, but it has been clearly demonstrated that there is no previously developed land or underutilised sites (within the authority or neighbouring authorities), consideration should then be given to suitable and sustainable greenfield sites within or on the edge of settlements. The identification of sites in the open countryside, including new settlements, must only be considered in exceptional circumstances.
- 6.37 Paragraph 3.57 states that adequate and efficient infrastructure, including services such as education and health facilities along with transport, water supply, sewers, sustainable waste management, electricity and gas (the utilities) and telecommunications, is crucial for economic, social and environmental sustainability. It underpins economic competitiveness and opportunities for households and businesses to achieve socially and environmentally desirable ways of living and working. Infrastructure which is poorly designed or badly located can exacerbate problems rather than solving them.
- 6.38 Paragraph 3.60 onwards relates to Managing Settlement Form through green belts and green wedges. Paragraph 3.74 states that certain forms of development would be appropriate development if they maintain the openness of the Green Belt or green wedge and do not conflict with the purposes of the designation.
- 6.39 **Section 4 – Active and Social Places** defines those places which promote social, economic, environmental and cultural well-being by providing well-connected cohesive communities. Places which are active and social contribute to the seven goals of the Well-being of Future Generations Act.

The key issues in this theme include:

- ensuring there is sufficient housing land available to meet the need for new private market and affordable housing;
- facilitating a range and choice of housing to respond to the change in household need, such as the predicted increase in single person households over the next 20 years;
- assisting in the delivery of cohesive communities which will meet the needs and are accessible to all members of society, including older people;
- tackling inequalities between communities, delivering services and jobs closer to where people live and acknowledging the importance of inclusive communities and the wider environment for good health and well-being;
- improve sustainable access to services, cultural opportunities and recreation facilities to support people to adopt healthy, culturally fulfilled lifestyles which will assist in improving health and wellbeing;
- reducing reliance on travel by private car, and the adverse impacts of motorised transport on the environment and people's health, by prioritising and increasing active travel and public transport;
- ensure our transportation infrastructure is adaptable to future advances in innovation such as the mainstreaming of electric vehicles or possible advent of autonomous or driverless vehicles in the next ten to 15 years; and
- diversifying retail and commercial centres so they can adapt to future retail trends, such as the continued rise in internet shopping, so that they can continue to meet the needs of their local communities.

6.40 This theme supports and enables the provision of a range of well-designed and located homes which are well connected to existing retail and commercial centres situated at the heart of our communities and job opportunities. It emphasises that when planning and managing future development planning authorities need to ensure that residents of existing and communities have access to jobs and an appropriate range of community facilities.

6.41 Paragraph 4.19 states that the planning system has a key role to play in reducing the need to travel and supporting sustainable transport, by facilitating developments which:

- are sited in the right locations, where they can be easily accessed by sustainable modes of travel and without the need for a car;
- are designed in a way which integrates them with existing land uses and neighbourhoods; and
- make it possible for all short journeys within and beyond the development to be easily made by walking and cycling.

6.42 Paragraph 4.1.11 confirms that it is Welsh Government policy to require the use of a

sustainable transport hierarchy in relation to new development, which prioritises walking, cycling and public transport ahead of the private motor vehicles. The transport hierarchy recognises that Ultra Low Emission Vehicles also have an important role to play in the decarbonisation of transport.

- 6.43 Paragraph 4.1.19 emphasises that the design and layout of streets must give a high priority to their role as public spaces and meeting the needs of pedestrians, cyclists and public transport users, reflecting the principles of the sustainable transport hierarchy. To create streets that are social places, the public realm needs to be safe and attractive and the street designed for low speeds. Design and Access Statements should demonstrate how the design of new or enhanced streets has responded to urban design principles, including the guidance in Manual for Streets and the Active Travel Design Guidance.
- 6.44 Paragraph 4.1.27 refers to the Active Travel Act which is complemented by statutory Design Guidance. The guidance sets out the standards expected of new and improved active travel infrastructure in Wales, including related facilities, and the considerations to be taken into account when choosing the design solutions for particular routes and sites. It also sets out effective approaches to planning walking and cycling networks and includes audit tools to assess existing infrastructure and future routes for their suitability.
- 6.45 Paragraph 4.2.12 refers to Housing Delivery Options and states that, when allocating sites, planning authorities need to consider providing a range of sustainable and deliverable sites to allow all sectors and types of house-builder, including nationals, regionals, registered social landlords (RSLs), Small and Medium-sized Enterprises (SMEs) and the custom and self-build sector, the opportunity to contribute to delivering the proposed housing requirement.
- 6.46 Paragraph 4.2.15 states that planning authorities must ensure that sufficient land is genuinely available or will become available to provide a five-year supply of land for housing judged against the general objectives, scale and location of development required in the development plan. This means that sites must be free, or readily freed, from planning, physical and ownership constraints and be economically viable, in order to support the creation of sustainable communities.
- 6.47 With regard to affordable housing, it is stated under Paragraph 4.2.27 that it is important that authorities have an appreciation of the demand for different types of affordable housing (i.e. intermediate and social rented) in relation to supply, so that they are well informed in negotiating the required appropriate mix of dwellings for new developments. To support policies and decisions on planning applications, planning authorities should refer to their LHMA to help determine the need for affordable housing.
- 6.48 Paragraph 4.2.29 advises that, where development plan policies make clear that an element of affordable housing or other developer contributions are required on specific sites, this will be a material consideration in determining relevant applications. Applicants for planning permission should therefore demonstrate and justify how they have arrived at a particular

mix of housing, having regard to development plan policies.

- 6.49 **Section 5 – Productive and Enterprising Places** covers the economic components of placemaking. The Productive and Enterprising Places theme of planning policy topics covers economic development, physical infrastructure, energy and the efficient use of resources. It is stated that Cohesive Communities are created by people who have access to fulfilling work which is easily reached locally through sustainable transportation infrastructure and who can communicate effectively and safely with their friends and neighbours.
- 6.50 In terms of the strategic road network, paragraph 5.3.12 states that development plans should include all proposals for new roads and major improvements to the primary road network over the plan period, and set out the broad policy on priorities for minor improvements. For local road schemes, the development plan procedures should normally provide the means to examine both the need for and the alignment of the route.
- 6.51 **Section 6 – Distinctive and Natural Places** requires that development plan strategies, policies and development proposals should be formulated to look to the long term protection and enhancement of the special characteristics and intrinsic qualities of places, be these of natural, historic or built environments, ensuring their longevity in the face of change. This means both protecting and enhancing landscapes, habitats, biodiversity, geodiversity and the historic environment in their own right as well as other components of the natural world, such as water resources or air quality.
- 6.52 It is further stated that when appropriate development is proposed, it must be taken forward in an integrated way to ensure common issues are considered and accommodated in the early stages of plan-making or individual proposal and multiple benefits, such as green infrastructure are secured.
- 6.53 The key issues in this theme include:
- Long term and chronic decline of biodiversity and habitat loss:
 - Adaptation to the effects of climate change:
 - Recognising and addressing the factors influencing landscape change:.
 - Loss of venues for cultural activities or historic assets:
- 6.54 Paragraph 6.15 states that the planning system must take into account the Welsh Government's objectives to protect, conserve, promote and enhance the historic environment as a resource for the general well-being of present and future generations. The historic environment is a finite, non-renewable and shared resource and a vital and integral part of the historical and cultural identity of Wales. It contributes to economic vitality and culture, civic pride, local distinctiveness and the quality of Welsh life.
- 6.55 Paragraph 6.2.4 – *'Integrating Green Infrastructure and Development'* emphasises that green infrastructure plays a fundamental role in shaping places and our sense of well-being, and are intrinsic to the quality of the spaces we live, work and play in. The planning system should protect and enhance green infrastructure assets and networks because of these multi-functional roles. The protection and enhancement of biodiversity must be carefully considered as part of green infrastructure provision alongside the need to meet society's

wider social and economic objectives and the needs of local communities.

- 6.56 Paragraph 6.3.20 specifies that planning authorities should draw upon LANDMAP in the preparation of landscape plans and assessments needed to inform development plans, SPGs and the development management process. LANDMAP assessments should be published.
- 6.57 Paragraph 6.4.2 refers to The Environment (Wales) Act 2016 which introduced an enhanced biodiversity and resilience of ecosystems¹²¹ duty (Section 6 Duty). This duty applies to public authorities in the exercise of their functions in relation to Wales and will help maximise contributions to achieving the well-being goals. The Nature Recovery Action Plan supports this legislative requirement to reverse the decline in biodiversity, address the underlying causes of biodiversity loss by putting nature at the heart of decision-making and increasing the resilience of ecosystems by taking specific action focused around the 6 objectives for habitats and species.
- 6.58 Edition 10 goes on to state that Development plan strategies, policies and development proposals must consider the need to:
- support the conservation of biodiversity, in particular the conservation of wildlife and habitats;
 - ensure action in Wales contributes to meeting international responsibilities and obligations for biodiversity and habitats;
 - ensure statutorily and non-statutorily designated sites are properly protected and managed;
 - safeguard protected and priority species and existing biodiversity assets from impacts which directly affect their nature conservation interests and compromise the resilience of ecological networks and the components which underpin them, such as water and soil, including peat; and
 - secure enhancement of and improvements to ecosystem resilience by improving diversity, condition, extent and connectivity of ecological networks.
- 6.59 In the above context Biodiversity and Resilience of Ecosystems Duty (Section 6 Duty) is referred to where local planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity.
- 6.60 Section 6.50 is concerned with Coastal Areas where the interface between land and sea gives rise to the unique characteristics associated with coastal areas. As well as opportunities, these characteristics present their own set of challenges which demand particular considerations and responses.
- 6.61 Paragraph 6.6.7 emphasises that water resources and quality must be taken into account from an early stage in the process of identifying land for development and redevelopment. The protection of water resources should be based on ensuring sustainable use in the future. Meeting short term needs should be balanced against ability to protect water resources over

the long term. This may mean that the location of new development, and its type, requires careful consideration.

- 6.62 Paragraph 6.6.10 refers to the need to balance the growing demand for water services with the needs of the environment. Even where there is theoretical capacity, timely investment in infrastructure is required to ensure that new development does not adversely affect water supplies or sewerage drainage systems and have consequential impacts on water quality and surface water flooding.
- 6.63 Paragraph 6.6.17 '*Sustainable Drainage Systems (SuDS) and Development*' states that new developments of more than one dwelling or where the area covered by construction work equals or exceeds 100 square metres also require approval from the SuDS Approval Body (SAB) before construction can commence. Adoption and management arrangements, including a funding mechanism for maintenance of SuDS infrastructure and all drainage elements are to be agreed by the SAB as part of this approval. This will ensure that SuDS infrastructure is properly maintained and functions effectively for its design life.

Building Better Places

- 6.64 In July 2020 the Welsh Government published its Building Better Places guidance. This document is aimed at providing guidance to the Planning sector and to aid the sector in a post-COVID recovery. The guidance still focuses on placemaking and creating good places but acknowledges that the planning sector must respond to the Post COVID world. As such the guidance indicates that where an LDP is silent on a particular topic the LPA should refer to PPW10 and the NDF once adopted. The guidance also seeks to learn lessons from the COVID crisis.

Technical Advice Notes (TANs)

- 6.65 PPW is supported by 22 topic-based Technical Advice Notes (TANs) which refer to land use planning considerations relating to various forms of development and act as guidance to local planning authorities in dealing with the determination of planning applications. The following are of relevance

TAN 1: Joint Housing Land Availability Studies

- 6.66 The TAN (updated in January 2015) emphasises that the Joint Housing Land Availability Study (JHLAS) is the mechanism for local planning authorities to demonstrate that they have a 5-year housing land supply by providing an agreed statement of housing land availability for development planning and development management purposes. The purpose of the TAN is to provide guidance on the preparation of JHLA Studies. The latest such study agreed in the Vale of Glamorgan is the April 2018 Study, the first since adoption of the LDP. This confirms that the Council has a 5.6 year supply.

TAN 2: Planning and Affordable Housing

6.67 The TAN outlines the general concept of affordable housing as being:-

'the ability of households or potential households to purchase or rent property that satisfies the needs of the household without subsidy'. The guidance requires local planning authorities to: 'include an affordable housing target in the development plan which is based on the housing need identified in the local housing market assessment, indicate how the target will be achieved using identified policy approaches and monitor the provision of affordable housing against the target and where necessary take action to ensure that the target is met.'

TAN 5 (Nature Conservation and Planning)

6.68 TAN 5 (September 2009) provides advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation. It seeks to demonstrate how local planning authorities, developers and key stakeholders in conservation can work together to deliver more sustainable development that does not result in losses from the natural heritage but instead takes every opportunity to enhance it.

TAN 11 (Noise)

6.69 TAN 11 (October 1997) provides advice on how the planning system can be used to minimise impact of noise without placing unreasonable restrictions on development. It outlines some of the main considerations which local planning authorities should take into account in drawing up development plan policies and when determining planning applications for development which will either generate noise or be exposed to existing noise sources.

TAN 12 (Design)

6.70 This Technical Advice Note was revised in March 2016 in order to reflect new requirements, including those for design and access statements. The TAN provides advice on design considerations and states that local planning policies and guidance should aim to:-

- *Create places with the needs of people in mind, which are distinctive and respect local character;*
- *Promote layouts and design features which encourage community safety and accessibility;*
- *Focus on the quality of the places and living environments for pedestrians rather than the movement and parking of vehicles;*
- *Avoid inflexible planning standards and encourage layouts which manage vehicle speeds through the geometry of the road and building;*
- *Promote environmental sustainability features, such as energy efficiency, in new housing and make clear specific commitments to carbon reductions and/or sustainable building standards;*
- *Secures the most efficient use of land including appropriate densities; and*
- *Consider and balance potential conflicts between these criteria.*

- 6.71 The TAN also documents a definition of ‘character’, which is contained within the guidance on designing in context and reads as follows:-

‘.....Appraising “character” involves attention to topography; historic street patterns, archaeological features, waterways, hierarchy of development and spaces, prevalent materials in buildings or floorspace, architecture and historic quality, landscape character, field patterns and land use patterns, distinctive views (in and out of the site), skylines and vistas, prevailing uses and plan forms, boundary treatments, local biodiversity, natural and cultural resources and local distinctive features and traditions (also known as vernacular elements)’.

- 6.72 The TAN goes on to state that opportunities for innovative design will depend on the existing context of development and the degree to which the historic, architectural, social or environmental characteristics of an area may demand or inhibit a particular design solution. Thorough appraisal of context can provide design pointers, which help to inspire an innovative design response, which meets present and future needs. A contextual approach should not necessarily prohibit contemporary design.

TAN14 (Coastal Planning)

- 6.73 The TAN emphasises that local planning authorities need to be aware of coastal issues at two scales – the site and its immediate environs, and in terms of the wider setting. Interference with associated processes may have consequences for the overall balance of the physical system. LPAs need to consider these potential effects when making planning decisions.

TAN 16: (Sport, Recreation and Open Space)

- 6.74 This Technical Advice Note (TAN) was published in January 2009 and its purpose is to advise on the role of the planning system in making provision for sport and recreational facilities and informal open spaces, as well as protecting existing facilities and open spaces in urban and rural areas in Wales (Para 1.1). The TAN states that young people’s recreational needs are a priority, improving levels of physical activity and access to facilities in and outside schools (Para 1.9).

TAN 18 (Transport)

- 6.75 TAN 18 confirms that integration of land use planning and development of transport infrastructure has a key role to play in addressing the environmental aspects of sustainable development and that it can help the Assembly Government achieve its wider sustainable development policy objectives. Paragraph 2.4 indicates that by influencing the location, scale, density and mix of land uses and new development, land use planning can help to reduce the need to travel and length of journeys, whilst making it easier for people to walk, cycle or use public transport.

TAN 23 (Economic Development)

- 6.76 The TAN provides guidance on assessing the economic benefits of new development to the local and national economy and promotes the creation of sustainable and more equitably distributed economic development.

TAN 24 (The Historic Environment)

- 6.77 The purpose of this TAN is to provide guidance on how the planning system considers the historic environment during development plan preparation and decision making on planning and Listed Building (LBC) applications. This TAN provides specific guidance on how the following aspects of the historic environment should be considered:

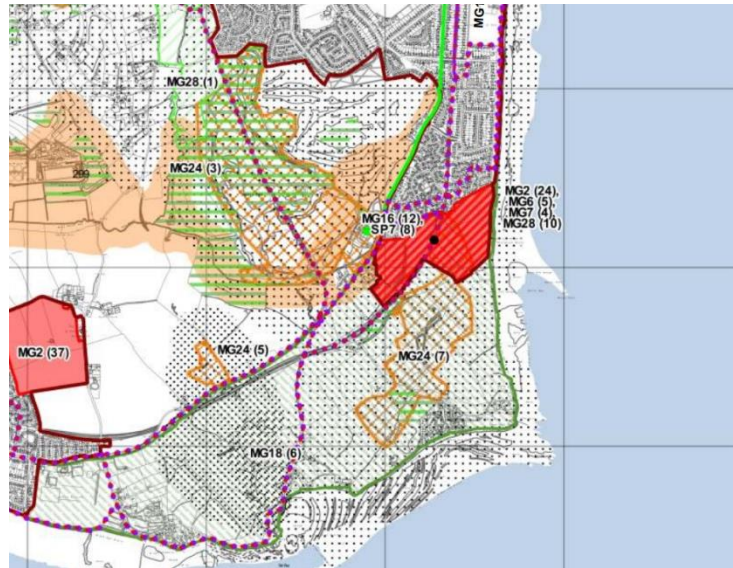
- World Heritage Sites
- Scheduled monuments
- Archaeological remains
- Listed buildings
- Conservation areas
- Historic parks and gardens
- Historic landscapes
- Historic assets of special local interest

Local Planning Policy

- 6.78 The Development Plan for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004 is the Vale of Glamorgan Local Development Plan 2011-2026 (Adopted on 28th June 2017) and relevant Supplementary Planning Guidance.

Local Development Plan

- 6.79 An extract from the LDP Proposals Map shows the site allocated for housing under **Policy MG2 (24) – Land at Upper Cosmeston Farm, Lavernock, for 576 dwellings (22.2 hectares)**.



Specific Policies

- 6.80 Specific Policies which are shown as relevant on the LDP Proposals Map are discussed below.
- 6.81 **Policy SP7 – Transportation** lists sustainable transport improvements which will be carried out in conjunction with the South East Wales Regional Transport Plan and the Local Transport Plan, including (8) – which refers to *‘the provision of a Bus Park and Ride at Cosmeston, Penarth’*. Various sustainable transportation measures which will be delivered by the development are discussed in appropriate chapters.
- 6.82 **Policy MG6 – Provision of Education Facilities** allocates land which is proposed to accommodate new and improved education facilities. MG6 (5) refers to *‘a new primary and nursery school at Upper Cosmeston Farm, Lavernock (1 hectare)’*. Pre-application discussions have focussed on the provision of a two hectare, potentially two-form entry, school to be provided, instead of the one form entry school that is referenced in the LDP. This involves the use of additional land outside the allocation boundary, and is discussed in appropriate Chapters of the ES.
- 6.83 **Policy MG 7 – Provision of New Community Facilities** allocates land accordingly, including (4) – *‘Cosmeston Farm (as part of a mixed use)’*.
- 6.84 **Policy MG16 – Transportation Proposals** again relates to the provision of a bus park and ride (12).
- 6.85 **Policy MG28 – Public Open Space Allocations** identifies the need for 1 hectare (10) at Upper Cosmeston Farm, Lavernock. This is however in addition to that required by Fields in Trust standards and related SPG. Detailed provision of a NEAP, 3 LEAPs and 4 LAPs will be made in subsequent reserved matters applications.

General Policies – Strategic Policies

- 6.86 **Policy SP1 – Delivering the Strategy**, seeks to improve the living and working environment,

promote enjoyment of the countryside and coast, and manage important environmental assets, including:

1. Providing a range and choice of housing to meet the needs of all sectors of the community...
4. Promoting sustainable transportation;
5. Delivering key infrastructure linked to the impacts of development;
6. Protecting and enhancing the built, natural and coastal environment.

- 6.87 **Policy SP3 – Residential Requirement** states that, in order to meet the identified residential requirement, land is made available in sustainable locations for the provision of 9,460 new residential units up to 2026.
- 6.88 **Policy SP4 – Affordable Housing Provision** seeks provision of up to 3,252 affordable residential units over the plan period.
- 6.89 **Policy SP10 – Built and Natural Environment** states that development proposals must preserve, and where appropriate, enhance the rich and diverse built and natural environment and heritage of the Vale of Glamorgan.
- 6.90 **Policy SP11 – Tourism and Leisure** favours proposals which promote the Vale of Glamorgan as a tourism and leisure destination, including the protection of existing tourism assets, and promoting the sustainable use of the countryside and the Glamorgan Heritage Coast.

General Managing Growth Policies

- 6.91 **Policy MG1 – Housing Supply in the Vale of Glamorgan** sets out how the housing land requirement of 9,460 new dwellings, through the provision of 10,408 new dwellings, will be met, including allocations within the plan which are identified in Policy MG2.
- 6.92 **Policy MG4 – Affordable Housing** states that residential developments (including mixed use schemes) will be required to contribute to meeting affordable housing need, including 40% provision in Penarth and Sully.
- 6.93 **Policy MG18 – Green Wedges** identifies green wedges in order to prevent the coalescence of settlements and to retain the openness of land at various locations, including 6 – South Penarth to Sully. Part of the site, proposed for a larger primary school, encroaches slightly into the green wedge, but seeks to maintain its openness.
- 6.94 **Policy MG 19 – Sites and Species of European Importance** and **Policy MG 20 – Nationally Protected Sites and Species** set out criteria in considering impacts on protected species and designated sites which may be affected by development.
- 6.95 **Policy MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species** states that development proposals likely to have an adverse impact on such sites will only be permitted subject to considerations of need; impacts being avoided; mitigation measures; and conservation and enhancement of biodiversity interests.

General Managing Development Policies

- 6.96 **Policy MD1 – Location of New Development** sets out criteria for new development on unallocated sites, including where such development should – 1. Have no unacceptable impact on the countryside; and 3 – where appropriate, it promotes new community facilities.
- 6.97 **Policy MD2- Design of New Development** – sets out the key principles that developers should consider in order to create high quality, healthy, sustainable and locally distinctive places, i.e.
1. *Be of a high standard of design that positively contributes to the context and character of the surrounding natural and built environment and protects existing features of townscape or landscape interest;*
 2. *Respond appropriately to the local context and character of neighbouring buildings and uses in terms of use, type, form, scale, mix, and density;*
 3. *Where appropriate, provide new or enhanced areas of public realm particularly in key locations such as town centres, major routes and junctions;*
 4. *Promote the creation of healthy and active environments and reduce the opportunity for crime and anti-social behaviour. In the case of retail centres, developments should provide active street frontages to create attractive and safe urban environments;*
 5. *Provide a safe and accessible environment for all users, giving priority to pedestrians, cyclists and public transport users;*
 6. *Have no unacceptable impact on highway safety nor cause or exacerbate existing traffic congestion to an unacceptable degree;*
 7. *Where appropriate, conserve and enhance the quality of, and access to, existing open spaces and community facilities;*
 8. *Safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance;*
 9. *Provide public open space, private amenity space and car parking in accordance with the council's standards;*
 10. *Incorporate sensitive landscaping, including the retention and enhancement where appropriate of existing landscape features and biodiversity interests;*
 11. *Provide adequate facilities and space for the collection, composting and recycling of waste materials and explore opportunities to incorporate re-used or recyclable materials or products into new buildings or structures; and*
 12. *Mitigate the causes of climate change by minimising carbon and other greenhouse gas emissions associated with their design, construction, use and eventual demolition, and include features that provide effective adaptation to, and resilience against, the current and predicted future effects of climate change.*
- 6.98 **Policy MD3 – Provision for Open Space** sets out requirements for forms of open space provision where there is an identified need.
- 6.99 **Policy MD4 – Community Infrastructure and Planning Obligations** – where appropriate and having regard to viability, the Council will seek to secure new and improved community infrastructure, facilities and services.
- 6.100 **Policy MD6 – Housing Densities** provides that residential developments within the key service

centres and primary settlements will be permitted where the net residential density is a minimum of 30 dwellings per hectare. Higher densities will be permitted where they reflect the character of the surrounding area and will not impact upon local amenity.

- 6.101 **Policy MD7 – Environmental Protection** states that development proposals will be required to demonstrate they will not result in an unacceptable impact on people, residential amenity, property and / or the natural environment from aspects which include:
1. Pollution of land, surface water, ground water and the air;
 4. Noise, vibration, odour nuisance and light pollution;
 6. Coastal erosion or land stability.
- 6.102 **Policy MD8 – Historic Environment** states that development proposals must protect the qualities of the built and historic environment of the Vale of Glamorgan.
- 6.103 **Policy MD9 - Promoting Biodiversity** states that new development proposals will be required to conserve and where appropriate enhance biodiversity interests unless it can be demonstrated that:
1. The need for the development clearly outweighs the biodiversity value of the site; and
 2. The impacts of the development can be satisfactorily mitigated and acceptably managed through appropriate future management regimes.

Supplementary Planning Guidance

- 6.104 In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance (SPG). Some SPG documents refer to previous adopted UDP policies and to ensure conformity with LDP policies, a review will be carried out as soon as is practicable following adoption of the LDP. The Council considers that the content and guidance of the adopted SPGs remains relevant and has approved the continued use of these SPGs as material considerations in the determination of planning applications until they are replaced or otherwise withdrawn. The following SPG are of relevance:

- Affordable Housing (2018)
- Biodiversity and Development (2018)
- Design in the Landscape (2006)
- Parking Standards (2019)
- Planning Obligations (2018)
- Public Art in New Development (2018)
- Residential and Householder Development (2018)
- Sustainable Development - A Developer's Guide (2006)
- Travel Plans (2018)
- Trees, Woodlands, Hedgerows and Development (2018)

Other Relevant Policy Guidance

- 6.105 **The Active Travel (Wales) Act 2013** aims to make it easier for people to walk and cycle in Wales, specifically to promote walking and cycling as viable modes of transport for everyday journeys such as to the shops, work or college. The Act requires local authorities to produce and publish Existing Routes Maps. These maps showed routes within the area that are suitable for active travel and which meet standards set by the Welsh Government. As such the Existing Routes Maps do not show all available walking and cycling routes within an area.
- 6.106 The Welsh Government approved the Vale of Glamorgan Council's Existing Route Maps in August 2015, and the Council is now working towards submitting its Integrated Network Maps which set out the Authority's aspirations for improving active travel routes across the County over the next 15 years. They will include routes that are currently used but may not meet the standard of Active Travel routes currently, or they could be routes that do not currently exist but that have been identified within other strategic Plans, or have been identified through the consultation process.
- 6.107 Further Relevant Policy Guidance includes the following:
- **Manual for Streets** (Welsh Assembly Government, DCLG and DfT - March 2007)
 - **Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management**
 - **Welsh Office Circular 11/99 – Environmental Impact Assessment**
 - **Welsh Office Circular 13/97 - Planning Obligations**