

# PLANNING STATEMENT

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**Land at Upper  
Cosmeston Farm,  
Lavernock Road,  
Penarth**

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September 2020



## Summary

**Proposal:**

Outline application for residential development, a primary school, community space and Public Open Space with all matters reserved other than access

**Location:**

Land at Upper Cosmeston Farm, Lavernock Road, Penarth

**Date:**

September 2020

**Project Reference:**

18.266

**Client:**

Welsh Government

**Product of:**

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## Introduction

- 1.1 This Planning Statement has been prepared by Asbri Planning on behalf of the Welsh Government to accompany the outline planning application submitted for the Welsh Government at MG2(24) - Land at Upper Cosmeston Farm, Lavernock Road, Penarth.
- 1.2 The purpose of this Planning Statement is to provide a clear and logical document to outline the planning considerations and planning policies relevant to the proposal. The document also acts as a method of demonstrating the details of the planning application in a way that can be read both by professionals and the public.
- 1.3 The majority of the site is allocated within the adopted Vale of Glamorgan LDP for residential development, associated community facilities (0.1 - 0.2 ha), a primary school (1 ha) and public open space (1ha).
- 1.4 The planning application comprises the following set of drawings prepared by Austin Smith Lord LLP unless otherwise stated.

<b>Drawing name</b>	<b>Drawing reference</b>
Site Location Plan	UFC-ASL-00-ZZ-DR-A-0900
Proposed Site Plan / Master plan	UFC-ASL-00-ZZ-DR-A-0930
Proposed Parameter Plan – Land Use and Density	UFC-ASL-00-ZZ-DR-A-0931
Proposed Parameter Plan – Building Parameters	UFC-ASL-00-ZZ-DR-A-0932
Proposed Parameter Plan – Green Infrastructure	UFC-ASL-00-ZZ-DR-A-0933
Proposed Parameter Plan – Access & Movement	UFC-ASL-00-ZZ-DR-A-0934
Indicative Site Sections	UFC-ASL-00-ZZ-DR-A-0950
Access Plan (Prepared by Asbri Transport)	Figure 4.1

1.5 In addition, the following supporting documents are submitted.

<b>Document</b>	<b>Prepared by</b>
Planning application forms (1APP)	Asbri Planning
Environmental Statement	Asbri Planning, EDP Ltd, ESP, Asbri Transport. Air Quality Consultants
Landscape and Visual Impact Assessment (appended to Environmental Statement)	EDP
Green Wedge Review (appended to Environmental Statement)	EDP
Preliminary Ecological Appraisal (appended to Environmental Statement)	Wardell Armstrong
Bat Survey Report (appended to Environmental Statement)	Wardell Armstrong
Dormouse Survey Report (appended to Environmental Statement)	Wardell Armstrong
Great Crested Newt Report (appended to Environmental Statement)	Wardell Armstrong
Reptile Survey Report (appended to Environmental Statement)	Wardell Armstrong
Confidential Bird Breeding Report (appended to Environmental Statement)	Wardell Armstrong
Archaeological Field Evaluation Specification	GGAT
Archaeology and Heritage Impact Assessment with Geophysical Report and Archaeological Evaluation appended)	EDP
Design Code	ASL
Design and Access Statement	ASL
Planning Statement	Asbri Planning
Noise Impact Assessment	Inacoustic

Arboricultural Technical Note (Tree Survey)	EDP
Drainage Strategy and FCA	Cambria
Interim School Travel Plan	Asbri Transport
Residential Travel Plan	Asbri Transport
Phase 1 Geo-Environmental Desk Study	Arcadis
Phase 1 Desk Study and Phase 2 Geo-Environmental and Geotechnical Assessment Report	Arcadis
Additional Site Investigation Report (appended to Environmental Statement)	ESP
Extended Phase 1 Habitat Assessment	WSP
Biodiversity Surveys Site Management Plan	AECOM
Response to NRW's Pre-application Consultation Comments	EDP

1.6 The purpose of this Planning Statement is to provide additional and complementary information to the submission. It provides a description of the application site at section 2, discusses the relevant planning context of the site and pre-application advice at section 3, describes the proposal at section 4, discusses what has been identified in supporting documents in section 5, sets out the planning policy context in section 6, appraises the development in section 7 and draws together the conclusions at section 8.

## Site Description and Context

### General location

- 2.1 The site comprises of approximately 25.23 ha of land at the southern edge of Cosmeston. Whilst the site is allocated for 22.2 hectares an additional area has been included to allow sufficient space for a two form entry primary school. Cosmeston is a village within the Vale of Glamorgan that sits a short distance to the south of Penarth. From a wider perspective the site is approximately 7.60km to the north east of Barry Town Centre and 8km to the south of Cardiff City Centre. The site is centred on grid coordinates E: 318240, N: 169088.

### The site

- 2.2 Whilst the majority of the site is in agricultural use, comprising seven field parcels in arable use, it includes a mix of other uses and features including a section of disused railway line, part of the now dormant Lavernock Quarry, a former landfill site known as 'Cosmeston No.1 Old Tip', a number of access tracks and pockets and corridors of woodland/vegetation. Also within the site boundary is Lower Cosmeston Farm the farm is no longer an operational farm but it is understood that it is instead operating as a livery business on a short-term tenancy.
- 2.3 A review of the historic wales maps identifies there are no listed buildings within the site boundary. The nearest listed building is the Church of St. Lawrence located approximately 800m to the south east of the site.
- 2.4 A review of the TAN:15 development advice maps produced by Natural Resources Wales (NRW) identifies the site is partly located within flood zone A and as such is considered to be at little or no risk of fluvial or coastal/tidal flooding and partly within flood zone B areas known to have flooded in the past.
- 2.5 To the north the site is bound by a mix of the rear gardens of dwellings fronting onto Whitcliffe Drive, Petrel Close, Cosmeston Drive, Shearwater Close and Upper Cosmeston Farm alongside the agricultural access lane which runs from Lavernock Road to the east to agricultural fields within the site. To the east the site is bound by the coastline, to the south by adjoining agricultural land and finally to the west by Lavernock Road.
- 2.6 The Local Development Plan Proposals map identifies the site is located within the settlement boundary and is allocated for housing with infrastructure including educational and community facilities. The allocation provides for a cycle route through the site. A section of

the site is designated as a dormant mineral site. The coastline adjoining the sites eastern boundary is designated as a Special Area of Conservation, RAMSAR site and Site of Special Scientific Interest (SSSI).

### **Surroundings**

- 2.7 There are a variety of uses surrounding the site. The land to the north is predominantly comprised of residential use. To the east of the site is the coastline, with the Bristol Channel running alongside. Land to the south of the site is predominantly comprised of agricultural land, and two caravan parks. To the west of the site is public country park Cosmeston Lakes designated as a SSSI and the Glamorganshire Golf Club site slightly further north.
- 2.8 The land adjoining the site to the south is designated as Green Wedge alongside an area being a SINC (Ty-r-Orsaf).

### **Access**

- 2.9 Given that the site is predominantly comprised of agricultural land there is no formal access into the site. As identified above there is an existing agricultural lane to the north west of the site that provides access to the fields via Lavernock Road. Existing pedestrian access to the site is also achieved via this entry point.



## Planning Context and Pre-Application Advice

### Planning History

- 3.1 There is no planning history considered relevant to the proposal.

### Environmental Impact Assessment (EIA) Screening Opinion

- 3.2 A screening opinion was submitted to the Vale of Glamorgan Council in December 2018 and a response was received on the 8<sup>th</sup> March 2019, reference no. P/DC/2018/01431/SC1. The response confirmed that The Local Planning Authority would advise that in their opinion an Environmental Impact Assessment is required. The following reasons were given:

*"Having regard to the key issues identified in Schedule 3 of the 2017 Regulations and WO Circular 11/99, the Local Planning Authority is of the view that the characteristics, location and any potential impact of the development as outlined in the supporting documentation is likely to be significant upon the environment for the reasons identified in the screening opinion attached.*

*Accordingly, there is considered to be a requirement for a formal Environmental Impact Assessment to be submitted under the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017."*

### EIA Scoping Opinion

- 3.3 A scoping opinion was received from the Vale of Glamorgan Council on the 5<sup>th</sup> April 2019, reference no. P/DC/2018/01432/SC2. The opinion confirmed that the proposed Environmental Statement should cover the following matters raised in the officer's report:

- The Nature and Magnitude of the Landscape Impact
- The Impact of the Development to Ecology and Biodiversity
- The Transportation Impacts of the Development
- Ground conditions during the construction phase (identifying the likely duration), post completion of the development and for future occupiers of the site (inc. post development monitoring, if applicable)

- 3.4 An Environmental Statement will therefore be submitted with the outline planning application and will contain information on the topics identified above.

- Pre-application Response**
- 3.5 A formal pre-application request was submitted to the Vale of Glamorgan Council on the 17<sup>th</sup> December 2018 and a response was received on the 6<sup>th</sup> March 2019. Advice was provided on the following matters:

***The principle of development and school issues***

- The development of this land (within the allocation) is acceptable in principle;
- A density of less than 30 dwellings per hectare would only be accepted where the applicant has demonstrated that there are site constraints that prevent it;
- Should a two-form school be required, it is accepted that one hectare would be insufficient space to accommodate that;
- It should be demonstrated that there would not be an unacceptable impact on the green wedge

***Loss of the existing rural enterprise***

- Issues should be fully dealt with in the application and a justification provided for any conflict with policy SP11

***Design, layout and visual impact***

- As a general principle, you seek to retain and where necessary supplement natural landscape features. These hedgerows (principally) should be used to frame the development and will add amenity value to the layout;
- The development should involve an active frontage to the main road and I would encourage an internal layout which has a high degree of permeability and avoids repetitious cul-de-sacs;
- The outline application should contain an indicative masterplan to demonstrate how the site can be appropriately developed.

***Highways Issues***

- The two priority junctions would have the benefit of protecting the priority on the main road and would be unlikely to have an objection in principle to this arrangement;
- vehicular permeability (while not to be prioritised for ease of car use) would be likely to create a better form of layout which does not focus on cul-de-sacs and dead ends

***Open Space***

- Based upon 3,340.80sqm of equipped play space and the measurements for NEAPs, LEAPs and LAPs, there is a requirement for 1 NEAP, 3 x Locally Equipped Area of Play (LEAP) and 4 x Local Area of Play (LAPs);

- Open spaces and pedestrian routes should be designed, where possible, with a close relationship to mature landscape features

#### ***Ecology***

- NRW has further advised that the site has the potential to support habitats of local biodiversity importance and consultation with the Council's ecologist should be undertaken to ensure that suitable provision is made for the survival of any local biodiversity interest;

#### ***Archaeology***

- Glamorgan Gwent Archaeological Trust has previously advised that an archaeological evaluation of the site will be required

#### ***Drainage***

- A designated main river runs in the vicinity of the site and consultation with Natural Resources Wales will be required to determine the suitability of the main river to accept proposed surface water run-off

#### ***S.106 Planning Obligations***

- that the Council is likely to seek planning obligations covering the following: -
  - Affordable Housing
  - Education
  - Public Open Space
  - Sustainable Transport
  - Community Facilities
  - Public Art

Discussions with regards to planning obligations is ongoing with the Local Planning Authority.

#### **Design Review Report**

3.6 A design review meeting was held with the Design Commission for Wales (DCFW) on the 14<sup>th</sup> March 2019 with a review report issued on the 20<sup>th</sup> March 2019. The following matters were raised:

- Concern that the development could become a standard, suburban housing estate falling short of the requirements set out in the legislation and the ambition of national planning policy;
- The work undertaken to date to understand the constraints and parameters of the site has been thorough and is well presented;
- Need for a clear and defined vision for the site, out of which can come a framework that Welsh Government can assess proposals against;
- How the site is taken to the market or the process for selecting a development partner is critical to the success of the development

and there is a key opportunity here with Welsh Government as the landowner.

3.7 Following the meeting held in March 2019 a second meeting took place on the 13<sup>th</sup> June 2019 with the report issued on the 25<sup>th</sup> June 2019. This provided the panel with an opportunity to review the development of the vision from the initial review which sets out positive aspirations for the development of the site. The report offers the following comments:

- Two of the most compelling aspects of the vision and masterplan as it has developed are the cycle link to Penarth Station along the former railway line and the proposed new pedestrian and cycle connection through the site that will link the coastal path to Cosmeston Lakes. Both elements require further design detail as well as detail on how they will be delivered and maintained;
- The connection through the site to Cosmeston Lakes will help to ensure that this development is stitched into the surrounding settlement; and
- The masterplan has developed positively and logically since the previous review and the development since the submission of pre-review material show further progress that has helped to refine the layout

**SAB**

3.8 A SAB pre-application response was received on the 2<sup>nd</sup> May 2019. The response provides the following information:

- Priority level 1 – in favour of the collection of rainwater for non-portable use where practicable;
- Priority level 2 - Where the use of shallow infiltration features are to be used all testing should be undertaken at the proposed site of infiltration inclusive of permeable surfaces. Where larger infiltration systems are to be used we would require additional testing to be undertaken on a 25m grid basis. Infiltration testing should be completed at an appropriate depth to that of the proposed design.
- Priority level 3 - The design of any off-site drainage system should demonstrate that the scheme does not adversely affect off-site flood risk elsewhere. Documented evidence of a right to discharge will also be required with the riparian owner at the proposed point of discharge;
- Priority level 4 / 5 - does not propose to discharge surface water directly into surface water sewer, highway drain or any other drainage system; and
- From the details provided as part of this pre-application we offer no objection in principle to the proposed drainage scheme.

## Proposals

- 4.1 The proposal includes the outline application for residential development, a two-form entry primary school, 1ha of public open space, community facilities with all matters reserved other than access. As previously highlighted the site is allocated within the adopted Vale of Glamorgan LDP for residential development, associated community facilities (0.1 - 0.2 ha), a primary school (1 ha) and public open space (1ha). The site partially extends from the allocation boundary to the south western corner to incorporate the two-form entry school.

### **Parameters**

- 4.2 As this is an outline planning application the scale, layout, appearance and landscaping will be detailed at the reserved matters stage. The proposal comprises residential development alongside a school, community facilities and areas of open space.
- 4.3 The parameters plan provided indicates 4 main areas for residential dwellings which are of varying densities and storey heights. The tallest buildings are shown to be located centrally located in the upper plateau to the site as will be least visible from outside of the site.
- 4.4 The green infrastructure plan demonstrates that the site can be developed with a high level of green space. Features include green bridges, ponds, green corridors and open space.
- 4.5 The allocation within the Vale of Glamorgan LDP also includes 1ha of public open space. The public open space proposed will be in accordance with this allocation. As highlighted in the pre-app response there is a requirement for 1 NEAP, 3 x LEAP and 4 x LAPs.
- 4.6 In relation to affordable housing this will be provided at 50% and will also be DQR compliant.

### **Access**

- 4.7 There are 2 access points proposed to the site's western boundary. The most northerly access will provide access to the majority of the proposed residential units. The southerly access will provide access primarily for the school alongside residential units. Each of the access points will be priority junctions. Approval of the access is sought as part of the outline application.

## Supporting Documents

- 5.1 The following section intends to provide a brief overview of the supporting documents and reports which have been prepared to accompany the planning application for the proposed development.

### **Biodiversity Surveys Site Management Plan (November 2013)**

- 5.2 AECOM was commissioned to undertake an Extended Phase 1 Habitat Survey and produce Biodiversity Site Management Plans. Biodiversity Site Management Plans provide a tool to enable appropriate management of a species, habitat or other ecological feature at a site. An Extended Phase I Habitat Survey (JNCC 1990, revised reprint 2010) of the site was undertaken by AECOM on 30<sup>th</sup> September and 1st October 2013.

### **Extended Phase One Habitat Assessment (April 2016)**

- 5.3 An Extended Phase 1 Habitat Assessment was conducted of the survey area on 8th March 2016. The purpose of the survey was to assess the ecological value of the survey area, recording any protected or otherwise important habitats and any evidence/potential for notable or protected species. The 2016 desk study identified four statutory designated sites and seven non-statutory protected sites within 2 km of the survey area. It is recommended that the following Phase 2 ecological survey types are undertaken to inform potential impacts and suitable mitigation and compensation measures in light of any potential development:

- Badger Surveys;
- Dormouse Surveys;
- Bat Surveys;
- Breeding Bird Surveys;
- Barn Owl Surveys;
- Reptile Surveys; and
- Great Crested Newt Surveys

### **Preliminary Ecological Appraisal (August 2018)**

- 5.4 A preliminary ecological appraisal was undertaken identifying The Severn Estuary (Wales) RAMSAR, SSSI/SAC/SPA, Sully Island SSSI / SPA, Cosmeston Lakes SSSI, Penarth Coast SSSI and Cog Moors SSSI are located within 2km of the site. Apart from the Severn Estuary, for which a Habitats Regulation Screening Assessment is required, no direct impacts on these designated sites are anticipated. Whilst there is potential for recreational impacts on these sites from new residents, the preliminary appraisal suggests that any impacts will not be significant. The desk study has identified a number of bat, bird, reptile, hedgehog, polecat, great crested newt, common frog and

common toad records within 2km of the site. However, a strategy for the implementation of mitigation and ecological enhancements will ensure that the long term future of these species is secured.

#### **Great Crested Newt Survey Report (August 2018)**

- 5.5 Great Crested Newt Surveys were undertaken by Wardell Armstrong. The aquatic features were scoped for their suitability to support amphibians and subject to an HSI assessment during a scoping / HSI survey on the 24th April 2017. Surveys for GCN were undertaken on suitable features between 2nd May and 2nd June 2017 with overnight low temperatures above 5°C. The desk study returned three records of GCN approximately 1.63km to the south west and the Council's ecologist informed that there are GCN present at Cosmeston Lakes to the north of the site. Of the waterbodies surveyed no GCN were observed during the presence/absence surveys. Other amphibians were observed, including smooth newts, palmate newts, and common frog tadpoles and adults. Therefore no further mitigation is considered necessary.

#### **Bat Survey Report (September 2018)**

- 5.6 Bat Surveys were undertaken by Wardell Armstrong with a report produced to detail the results of the 2016 and 2017 surveys, to assess the presence and use of the site by bats. External and internal Preliminary Roost Assessments (PRA) of buildings and bridge structures was undertaken in September 2016 and April 2017 by an experienced ecologist from Wardell Armstrong LLP. The site contains six buildings and three old railway bridges. The site was assessed as being of low suitability habitat for bats. At least six species of bat were recorded foraging and commuting within the site during the surveys over 2016 and 2017. It is concluded that to enhance the opportunities for bats, green infrastructure proposals should seek to maximise planting to include trees which could provide long-term roosting opportunities for bats. Bat boxes could also be erected within the site. An updated ecology note was prepared by EDP providing an update on the potential of the application site to support roosting bats. A ground-based visual assessment of all onsite trees was undertaken to determine the presence of, or potential to support, roosting bats. The survey was undertaken on 9 April 2019. A single dusk emergence surveys of all buildings located within the Application Site confirmed the continued presence of a common pipistrelle bat roost within building B3 and a railway bridge B8. This is comparable to the existing ecological baseline. In contrast to previous survey effort, however, additional bat roosts comprising low numbers of common pipistrelle were identified within building B7. With respect to onsite trees, total of 42 trees were assessed as having bat roosting potential, including 20 with high potential, 12 with medium potential and ten with low potential.

### **Dormouse Survey Report (September 2018)**

- 5.7 Dormouse Surveys were undertaken by Wardell Armstrong. A total of 200 nest tubes were deployed on 8th and 9th May 2017 to sample the site. The nest tubes were checked at the end of May, June, July, August, September and October with an index of probability of finding a dormouse score of 22. Following the surveys a report was produced which identifies consideration should be given to dormouse at the masterplan and design stages to include the creation of a woodland area and maintain connectivity in the form of the retention and planting of hedgerows within the Site boundary which can accommodate the population of dormouse during the construction phases of the development.

### **Reptile Survey Report (September 2018)**

- 5.8 Reptile surveys were undertaken by Wardell Armstrong. The results of the reptile survey undertaken in 2016 and 2017 have confirmed the presence of a 'Good' sized population of slow worm within the site. The proposed development of the site will result in the loss of suitable reptile habitats within the site. It is considered probable that the site clearance and construction works will have a significant adverse effect on reptiles including the risk of killing and injuring individuals. Mitigation measures have been recommended to mitigate potential harm and injury to reptiles and for habitat losses.

### **Phase 1 Desk Study and Phase 2 Geo Environmental and Geotechnical Assessment Report (July 2018)**

- 5.9 Arcadis Consulting Ltd. have completed a phase 1 desk study and phase 2 geo-environmental/geotechnical assessment. The work included the following elements;
- Phase 1 desk study to identify potential geo-environmental issues that may represent a constraint to redevelopment, and
  - Site investigation across the proposed development areas to establish the general ground conditions and potential constraints to development.

### **EDP Response NRW Consultation Comments**

- 5.10 A formal response from Natural Resources Wales (NRW) was received on 18 October 2019 (NRW reference CAS-100830-MOQ9) following the Pre-Application Consultation (PAC) process. This technical note produced by EDP provides comments in relation to the response received from NRW. The document is provided at Appendix H of the PAC report.



### **Geophysical Survey Report (January 2019)**

- 5.11 SUMO Geophysics Ltd were commissioned to undertake a geophysical survey of an area outlined for development. This survey forms part of an archaeological investigation being undertaken by the Environmental Dimension Partnership (EDP). The aim of the report was to locate and characterise any anomalies of possible archaeological interest within the study area. Magnetic responses associated with possible archaeological features have been identified in Areas 3 and 4. Although poorly defined and cut by a modern track, there are indications that they may have formed a small enclosure. A number of uncertain responses are visible in the data; they would normally be interpreted as being natural or archaeological. If the 'enclosure' is archaeological, some of the weaker responses might also be of interest. Three former field boundaries have been located and modern ploughing effects have been noted.

### **Site Investigation (November 2019)**

- 5.12 The Earth Science Partnership were instructed to undertake an integrated geotechnical and geo-environmental at the site, with the objective of the investigation, as provided by the Client, *"To undertake a geoenvironmental ground investigation and associated interpretive reporting to inform the masterplan and drainage strategy for the development of the site at Cosmeston Farm, Penarth for residential housing and a proposed primary school"*. The intrusive investigation was undertaken between 28<sup>th</sup> January and 21<sup>st</sup> February 2019 in accordance with BS5930:2015 and BS10175:2013, and was designed to investigate both geo-environmental and geotechnical hazards that may impact on the proposed Masterplan. During the undertaking of exploratory holes in Area C the presence of deep landfill materials was identified. The landfill material was recorded to comprise variable man made materials. In Area B, reworked soils and general Made Ground was encountered and in Areas A and D no obvious evidence of contamination was recorded.
- 5.13 No evidence was identified of potential landslips or unstable ground in the Preliminary Geotechnical Risk Register and identified no evidence of any global instability issues on the site. Significant variable and loose landfill deposits have been identified in Area C. These materials will be highly variable and likely to spall during open excavation. No significant works are anticipated in this Area due to the human health concerns, however, any subsequently planned excavation will require suitable shuttering/bracing on top of appropriate health protection measures.
- 5.14 The report provides the following recommended further investigation required as part of the Masterplan works or future Area specific works are outlined below:

- Completion of GW monitoring and preliminary CWRA;
- Completion gas monitoring and GGA;
- Installation of skip tests;
- Investigation of Area E should development be proposed in this area;
- Additional sampling in all Areas and appropriate detailed statistical assessment;
- Investigation and testing in areas not accessible due to ecology (railway line);
- Supplementary concrete class assessment;
- Formulation of H&S documentation for workers across all Areas notably for works in Area C; and
- Review of all available information (Arcadis and ESP) once the Masterplan has been finalised to ensure suitability and to determine refinement of supplementary works.

5.15 Further to the Geo-environmental/Geotechnical Assessment results of monitoring of ground water have been completed and a preliminary controlled water risk assessment addendum report produced. As above the site has been split into five area by historical uses and geology A – E. The report identifies that the groundwater testing has shown slightly elevated levels of contaminants at the site, these have generally been observed to decrease down gradient such that risks to receptors are generally considered to be low. The concentrations of contaminants anticipated to be leaving site are at such a low levels, no current technology exists that could provide significant or meaningful betterment or treatment. The removal of the source, thought to be Area C and the wider landfill (off site) is unlikely to be economically viable for the development.

**Archaeological Field Evaluation Specification (February 2019)**

5.16 The purpose of the document is to provide specifications which set out a quantifiable schedule of works against which performance, fitness for purpose and achievement of quality can be measured.

**Archaeological Evaluation (March 2019)**

5.17 The Glamorgan-Gwent Archaeological Trust have undertaken an archaeological evaluation on land at Upper Cosmeston Farm, Vale of Glamorgan, as part of pre-planning works to inform on the results obtained by geophysical survey. The field evaluation took place between the 5<sup>th</sup> and 7<sup>th</sup> March 2019. The archaeological evaluation proved that the majority of geophysical anomalies, identified as being of potential archaeological origin, related to variations in the underlying bedrock geology, with a few exceptions, notably Trench 7. Of the seven trenches excavated, Trenches 1 and 2 contained field drains and Trenches 3 and 4 were negative. Trench 5 contained a linear break in the bedrock, but it was unclear whether this break was

an archaeological feature or a natural geological break, however the natural break was considered the most likely cause. Trench 7, contained archaeological deposits in the form of two linear ditch deposits and a possible post-hole or pit, but none of these features provided any dating evidence.

#### **Archaeological and Heritage Assessment (August 2020)**

- 5.18 An archaeological and heritage assessment has been prepared by EDP it concludes that the site does not contain any world heritage sites, scheduled monuments, registered historic parks and gardens or listed buildings, where there would be a presumption in favour of their physical retention or preservation in situ.
- 5.19 The assessment provides a conclusion that the presence of a medieval village c.160m to the west of the site and further medieval records in the area also suggests a moderate potential for unrecorded archaeological remains from this period within the site, although such remains are most likely to comprise agricultural features such as infilled furrows or ditches of low evidential value. There are four historic buildings located within the site and the assessment concludes that none of the four buildings would meet the high threshold to be designated as a *Building of Special Architectural or Historic interest* because of the impact of more recent use and its impact on their retention of original historic fabric. All buildings are considered to possess limited heritage significance.
- 5.20 The assessment has established that there will be no direct physical effects on any designated asset and there will not be any changes to the setting of any designated historic assets in its wider zone of influence that would result in harm to their significance. Consequently, it is concluded that the proposed development of the site is in accordance with the provisions of current legislation and national and both local planning policies for the conservation and management of the historic environment and so therefore the outline planning application should be treated favourably when it is submitted for determination by the Vale of Glamorgan Council.

#### **Tree Survey (May 2019)**

- 5.21 A tree survey has been undertaken by EDP which identifies and classifies all trees and hedgerows within the site boundary.

#### **Arboricultural Technical Note (May 2019)**

- 5.22 An Arboricultural Technical Note has been produced by EDP to accompany the Tree Survey. The technical note outlines the methodology for the tree survey and concludes that of the items

surveyed, 25 items categorised as B, of moderate quality. These items should be prioritised for retention, where practicable.

#### **Arboricultural Impact Assessment (August 2020 )**

- 5.23 An Arboricultural Impact Assessment has been prepared by EDP which sets out the nature and extent of tree losses and provides recommendations for the mitigation and protection measures, to ensure the viable long-term retention of retained trees in the context of the development proposals. Master planning of the development has been informed by arboricultural recommendations throughout and has sought to retain all trees where possible. However, the loss of 22 items and partial loss of 10 items will be more than compensated for through the provision of new planting across the site. The new planting has potential for greater longevity within the landscape and will enhance the species diversity for the site, whilst also contributing to the green infrastructure for the area.

#### **Landscape and Visual Impact Assessment (August 2020)**

- 5.24 A Landscape and Visual Impact Assessment has been produced by EDP. The report provides an assessment of the impact that the proposed development will have into the landscape. The assessment identifies that the proposed development on Upper Cosmeston Farm will have some significant adverse effects, even at 15 Years of operation, as the proposal is a large scale mixed use development on what is now 'greenfield' agricultural land. Even with what are deemed to be 'significant' effects in EIA terms, EDP concludes that there are few highly sensitive receptors (such as the Wales Coastal Footpath, Cosmeston Lakes Country Park and Penarth Pier) or receptors of higher experience (such as those travelling past the site along Lavernock Road) that would be affected significantly by the proposal in the long term.

#### **Green Wedge Review (August 2020)**

- 5.25 A Green Wedge Review has been prepared by EDP. The report provides an assessment of the suitability and functionality of the Green Wedge designation to the south of the settlement of Cosmeston, Vale of Glamorgan, in order to establish the potential for the release of Lower Cosmeston Farm from the green wedge designation. The document concludes that development of the part of the designation comprising Lower Cosmeston Farm would not cause demonstrable harm in relation to the overall purposes of the Green Wedge. The site in turn offers clear boundaries, defined by physical features, which could be used as defensible boundaries to a future revision of the policy designation of Green Wedge.

#### **Environmental Statement (August 2020)**

5.26 An Environmental Statement (ES) has been prepared and submitted to accompany the application. The ES considers the likely significant environmental effects of the development in relation to landscape and visual, ecology, transportation, ground conditions, air quality and cumulative impacts.

**Transport Assessment (August 2020)**

5.27 Asbri Transport have produced a Transport Assessment to accompany the application. The purpose of the report is to detail the likely transport characteristics of the proposed development and identify the potential impact of the proposals on the surrounding transport network. The proposal aims to simultaneously promote sustainable modes of transport such as walking, cycling and public transport, while minimising the number of single occupancy car trips to and from the site. The report considers the on-site layout with regard to parking provision. The report concludes that the development is appropriate and acceptable in traffic and transport terms and that the traffic movements associated with the development proposals could be accommodated on the highway network.

**Interim School Travel Plan (August 2020)**

5.28 An interim travel plan has been prepared by Asbri Transport. The objective of this interim Travel Plan is to provide a strategy to encourage sustainable travel, providing both an overarching strategy for the new school and the associated use of its facilities by the local community. It sets targets and identifies measures to achieve this.

**Residential Travel Plan (August 2020)**

5.29 A residential travel plan has been prepared by Asbri Transport the aim of the travel plan is to increase the proportion of residents travelling by sustainable modes, particularly walking and cycling, and also public transport. The report recognises development will provide the necessary pedestrian and cycling infrastructure within the site to promote and encourage residents to walk and cycle.

**Flood Consequence Assessment & Drainage Strategy (June 2019)**

5.30 Cambria Consulting Ltd. have completed a flood consequence assessment (FCA) and drainage strategy. The development site is situated predominantly in Flood Zone A, as such is at little or no risk of flooding, with part of the site adjacent Lavernock Road located in Zone B of the DAM maps, areas known to have flooded in the past.

5.31 Separate foul and surface water drainage networks are to be provided. The proposed foul drainage solution will be via a standard gravity piped solution connecting to the existing 900mm diameter

combined sewer running through Cosmeston Lakes adjacent Lavernock Road. The proposed surface water strategy for the site is a combination of collecting rain water, infiltration and discharging to a surface water body. Surface water will discharge to Sully Brook at a reduced rate.

#### **Noise Assessment (August 2020)**

5.32 Inacoustic have completed a noise assessment the scope of the noise assessment can be summarised as follows:

- A sound monitoring survey was undertaken at discrete locations around the Site;
- A detailed assessment of the suitability of the Site, in accordance with relevant standards in respect of sound from the existing sources;
- An assessment of off-site road traffic effects; and
- Recommendation of mitigation measures, where necessary, to comply with the requirements of TAN11 and BS8233:2014.

5.33 The results conclude the site is largely unconstrained by noise, and is considered, on this basis to be suitable, in its entirety for residential and educational uses.

#### **Design and Access Statement (September 2020)**

5.34 A Design and Access Statement has been submitted with the application. The statement was prepared by Austin Smith Lord, with input from the Design Team, and explains the various facets of design and access in relation to the site alongside outlining planning policy relevant to the proposal. The statement explains how the proposal complies with the 5 principles of good design identified in TAN12 and Welsh Government Guidance.

#### **Design Code (September 2020)**

5.35 A Design Code has been developed to ensure the delivery of the vision for the site.

## Planning Policy Context

### Context

- 6.1 The planning policy framework for the determination of this application is provided by the following policy documents.
- i. Planning Policy Wales 10<sup>th</sup> Edition (2018)
  - ii. Technical Advice Note (TAN) 1: Joint Housing Availability Studies (2015)
  - iii. Technical Advice Note (TAN) 2: Planning and Affordable Housing (2006)
  - iv. Technical Advice Note (TAN) 4: Retailing and Commercial Development (2016)
  - 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) 15: Development and Flood Risk (2004)
  - x. Technical Advice Note (TAN) 16: Sport, Recreation and Open Space (2009)
  - xi. Technical Advice Note (TAN) 18: Transport (2007)
  - xii. Technical Advice Note 20: Planning and the Welsh Language
  - xiii. Technical Advice Note 21: Waste
  - xiv. Technical Advice Note (TAN) 23: Economic Development (2013)
  - xv. Technical Advice Note (TAN) 24: The Historic Environment (2017)
  - xvi. The Wales Spatial Plan – People, Places, Futures (WSP) (adopted in 2004 and updated in 2008)
  - xvii. Vale of Glamorgan Local Development Plan 2011-2026
  - xviii. Supplementary Planning Guidance's
  - xix. The Well-being of Future Generations (Wales) Act 2015
  - xx. Active Travel (Wales) Act 2013
  - xxi. Historic Environment (Wales) Act 2016
  - xxii. Environment (Wales) Act 2016
  - xxiii. Planning (Listed Buildings and Conservation Areas) Act 1990
  - xxiv. Planning and Compulsory Purchase Act 2004
  - xxv. Town and Country Planning Act 1990
  - xxvi. Draft National Development Framework
  - xxvii. Building Better Plans – July 2020
- 6.2 A full review of planning policy has been undertaken in the Environmental Statement.

# Appraisal

## Overview

7.1 This section aims to identify the main issues relevant to the determination of the application and assess the scheme against the relevant planning policy framework. These matters are considered to be as follows:

- The **principle of development;**
- The impact of the development on the **character and appearance of the surrounding area;**
- The impact of the development on the **residential amenity of surrounding properties;**
- The impact of the development on **tourism and leisure;**
- The acceptability of the development in terms of **biodiversity and protected species;**
- The acceptability of the development in terms of **landscape;**
- The acceptability of the development in terms of **in terms of traffic and transport and highway and pedestrian safety;**
- The acceptability of the development in terms of **archaeology and cultural heritage;**
- The acceptability of the development in terms of **drainage and flood risk;**
- The acceptability of the development in terms of **arboriculture;**
- The acceptability of the development in terms of **affordable housing;**
- The acceptability of the development in terms of **air quality;**
- The acceptability of the development in terms of **noise;**
- The acceptability of the development in terms of **agricultural land;**
- The acceptability of the development in terms of **ground conditions**
- An appraisal of the scheme against the **goals of the Well-Being of Future Generations Act**
- A review of the **Socio-Economic Benefits**

## The Principle of Development

7.2 In accordance with the LDP the majority of the site is located within the settlement boundary and is allocated for housing with infrastructure including education and community facilities. As such the principle of developing the site for residential use with supporting educational and community facilities is considered to be accepted.

7.3 It is noted that policy MG2 relates to housing allocations with no. 24 relating to the site identifying Land at Upper Cosmeston Farm is allocated for up to 576 dwellings. Policy MG6 relates to educational



facilities stating that land for a new primary and nursery school is allocated at the site. Finally policy MG7 relates to the provision of community facilities stating that with no. 4 relating to the site.

- 7.4 As highlighted within the pre-application response the land allocated at 1ha is not considered to be sufficient for a two form entry primary school. The proposal has therefore extended from the allocation boundary to the south into land which is designated as green wedge (6 – South Penarth to Sully) as indicated on the LDP proposals map. Planning Policy Wales 10 (PPW10) indicates that development within the green wedge should only be granted planning permission ‘in very exceptional circumstances where other considerations clearly outweigh the harm which such development will do to the green wedge.’ As such it can be demonstrated that the proposal can be justified within the green wedge. PPW10 confirms that the purpose of the green wedge is to:

**Prevent the coalescence of large towns and settlements with other settlements**

- 7.5 As identified above, the layout for the proposal is a reserved matter. The masterplan provided indicates that the school is proposed to be located to the southern boundary. At pre-application enquiry stage it was agreed that the allocation of 1ha for a two-form school would be insufficient and would not meet current demand. As such the inclusion of additional land would allow for a larger school to be provided whilst maximising the retention of key features on-site. In addition, the school’s proposed location would be on an area already occupied by buildings and would allow for the school to be brought forward independently of the remainder of the site. It is noted that the Local Education Authority will be developing the school. The other area encroaching into the green wedge is shown on the masterplan as being open space. It is therefore considered that this will have a negligible impact on the green wedge given that it will be undeveloped open space. In addition, the nearest settlement south of the development site is Sully which currently lines approximately 2km from the current nearest built form. If the school is constructed as proposed the distance between the settlements would be reduced to 1.80km, representing only a small level of encroachment and as a result will not result in any significant coalescence. As such the harm of the development partially within the green wedge is considered to be minimal and other considerations such as the provision of education for this area is considered to outweigh any such harm. As such the proposal does not result in coalescence or a loss of openness and is in accordance with the aims of PPW10 and Policy MG18 (Green Wedges) of the Vale Local Development Plan.

**Manage urban form through controlled expansion of urban areas**

- 7.6 The boundary to the south of the site is formed by the extent of the proposed school grounds, areas of new and retained hedgerow and the rear amenity spaces of proposed dwellings. As such a defensible boundary will be created to the south. The controlled nature of the development will ensure an effective management of the urban form and a rounding off of the settlement. The harm to the green wedge is considered to be minimal and outweighed by the benefits that the school and areas of open space will bring. As such the proposal is considered to be in accordance with PPW10 and Policy MG18 (Green Wedges) of the Vale Local Development Plan.

**Assist in safeguarding the countryside from encroachment**

- 7.7 The majority of the proposed site is allocated within the local development plan for development. The expansion of the designation as previously identified is due to the recognition that the space allocated for the school element is insufficient. Whilst the proposal will encroach into the Green Wedge this is associated with the school grounds and open space. The harm to the green wedge is therefore considered to be minimal and the need for the school and open space outweighs the minimal harm to the green wedge. As such the proposal is considered to be in accordance with PPW10 and Policy MG18 (Green Wedges) of the Vale Local Development Plan.

**Protect the setting of an urban area**

- 7.8 The proposal will protect and enhance the setting of the urban area. The area of green wedge that will be developed is in conjunction with the proposed wider development as such is developed with the wider urban environment in consideration. As such the proposal is not considered to harm the urban area and is considered to be in accordance with PPW10.

**Assist in urban regeneration by encouraging the recycling of derelict and other urban land**

- 7.9 Whilst the majority of the land now appears to be undeveloped Greenfield land the site history indicates areas of the site were previously landfill sites. As such the proposal will provide an element urban regeneration by developing on a historic landfill site. As such the proposal is considered to be in accordance with PPW10.
- 7.10 An assessment of the proposal against potential harm has confirmed that the level of harm is minimal when considered against the aims and purpose of the green wedge as defined by PPW10. In addition the public interest associated with the need for the new school clearly

outweighs the minimal harm associated with the schools location partially within the green wedge.

- 7.11 Furthermore the assessment of the Green Wedge provided by EDP concludes that the development of the part of the designation comprising Lower Cosmeston Farm would not cause demonstrable harm in relation to the overall purposes of the Green Wedge. The site in turn offers clear boundaries, defined by physical features, which could be used as defensible boundaries to a future revision of the policy designation of Green Wedge. As such it is considered that the proposal can be justified when considered against the requirements of PPW10.

**The impact of the development on the character and appearance of the surrounding area**

- 7.12 As the proposal relates to an outline planning application the details relating to the character and appearance of the development will be permitted during the reserved matters application. The proposal has been designed to ensure that the future reserved matters application can be developed to have a positive development on the character and appearance of the surrounding area whilst contributing positively to placemaking. The masterplan provides the basis for subsequent reserved matters to develop upon and reinforce the existing local distinctiveness comprised of the Coast and Cosmeston Lakes Country Park.
- 7.13 As such the proposal is considered to be in accordance with national and local planning policies including PPW10, TAN12 (Design), Policy MD1 (Location of New Development), MD2 (Design of New Development), MD5 (Development within settlement boundaries) and MD6 (Housing Densities) of the Vale Local Development Plan.

**The impact of the development on the residential amenity of surrounding properties**

- 7.14 The proposal has been sympathetically designed to ensure that there is no detrimental impact to the residential amenity of surrounding properties. The site boundaries to the east, south and west abut the coastal line, agricultural land and the B4267 respectively as such the impact on residential amenity to each of these boundaries is considered to be negligible.
- 7.15 The northern boundary abuts dwellings fronting onto Upper Cosmeston Farm alongside the cul de sacs emerging from Cosmeston Drive. Whilst the layout of the proposed dwellings will be agreed during the reserved matters applications the outline application provides a masterplan informing the general parameters. It is evident that the site can be developed with a negligible impact

towards the residential amenity of surrounding properties. This will be achieved by ensuring appropriate distances are maintained between existing and proposed dwellings alongside locating a high level of landscaping towards boundaries.

- 7.16 Whilst ensuring the proposal does not have a negative impact on surrounding properties the proposal provides an inclusive design to help ensure that the existing community is built upon.
- 7.17 The proposed density makes an efficient use of the land available whilst achieving the housing numbers to meet housing need. The density and illustrative masterplan demonstrates that the proposal will be in keeping with the character of the surrounding area through the setting of parameters whilst ensuring the retention of key ecological features. The more dense areas of the site are located centrally with the less dense areas located towards boundaries as reflected in the existing housing mix. The density and housing mix has also been informed by the housing demand with reference to the housing register for the Vale of Glamorgan. Overall the proposed mix and density is considered to be an efficient use of land and will allow the proposed residential development to assimilate with the existing context whilst also developing a distinctive character and place.
- 7.18 As such the proposal is considered to be in accordance with national and local planning policies including PPW10, TAN12 (Design), Policies MD1 (Location of New Development), MD2 (Design of New Development), MD5 (Development within settlement boundaries), and MD6 (Housing Densities) of the Vale Local Development Plan.

#### **The impact of the development on tourism and leisure**

- 7.19 The masterplan and access & movement parameter plans provided as part of the outline application also demonstrate how the proposal will contribute positively to and promote tourism and leisure in the Vale of Glamorgan. The proposal will protect and provide enhanced connectivity between the Wales Coastal Path (to the east) and Cosmeston Lakes Country Park (to the west). As such the proposal will make it easier for users to access both the Coastal Path and the Country Park. Both of which are established tourism and leisure assets within the Vale of Glamorgan. Therefore it is considered that the proposals will improve access to existing facilities and as such is considered to be in accordance with Policy SP11 (Tourism and Leisure) of the Vale Local Development Plan.

### **The acceptability of the development in terms of biodiversity and protected species**

- 7.20 In relation to biodiversity and protected species a preliminary ecological appraisal was undertaken by Wardell Armstrong which identifies the likely presence of ecological features within or near the site that could be subject to adverse effects arising from the proposed development of the site. The report finds that the proposed development could have an impact on habitats and species although this can be controlled through mitigation measures and further surveys.
- 7.21 In relation to species further surveys have been undertaken in relation to Bats, Birds, Hazel Dormice, Great Crested Newts and Reptiles. Each of the response reports discusses mitigation measures to ensure the development does not have a detrimental impact on the presence of each species. It is considered that the reports provide sufficient information to demonstrate that the development will not be detrimental to the species and as such is considered to be acceptable.
- 7.22 Following the initial survey work highlighted above updated bat surveys of the trees and buildings were undertaken on the 9<sup>th</sup> April 2019. The updated surveys identified that similarly to the earlier surveys presence within building B3 and railway bridge B8 was confirmed. In contrast to the previous surveys, additional bat roosts were identified in building B7. With respect to onsite trees, total of 42 trees were assessed as having bat roosting potential, including 20 with high potential, 12 with medium potential and 10 with low potential. As such prior to the demolition of the buildings appropriate licenses will be obtained from NRW. In relation to the any trees to be felled updated inspections will be undertaken prior to any works. As such the recommendations provided by within the update ecology note will be adhered to avoiding any detrimental impact to bats.
- 7.23 In relation to habitats the development masterplan has been designed to include a diversity of habitats to support a range of wildlife. Where possible grassland, hedgerows and woodland have been retained maintaining appropriate buffer distances between the habitats and built development. Whilst the detailed design of the landscaping throughout the site is a reserved matter the masterplan shows the site can be developed with a high level of green infrastructure present which will provide significant ecological enhancement in addition to contributing positively to creating distinctive and healthy communities. As such it is considered that the proposal can be developed without detriment to species and habitats through mitigation measures and enhancements detailed within the

accompanying reports. The proposal is therefore considered to be compliant with PPW10, TAN5 (Nature Conservation and Planning), Policies SP10 (Built and Natural Environment), MG18 (Green Wedges), MG19 (Sites and Species of European Importance), MG20 (Nationally Protected Sites and Species), MG21 (Sites of Importance), MD1 (Location of New Development), MD2 (Design of New Development), MD7 (Environmental Protection) and MD9 (Promoting Biodiversity) of the Vale Local Development Plan and as such is acceptable.

**The acceptability of the development in terms of landscape**

- 7.24 The application is supported by a Landscape Visual Impact Assessment prepared by EDP. The proposed development on Upper Cosmeston Farm will have some significant adverse effects as the proposal is a large scale mixed use development on what is now 'greenfield' agricultural land. Overall, and even with what are deemed to be 'significant' effects in EIA terms, EDP concludes that there are few highly sensitive receptors (such as the Wales Coastal Footpath, Cosmeston Lakes Country Park and Penarth Pier) or receptors of higher experience (such as those travelling past the site along Lavernock Road) that would be affected significantly by the proposal in the long term.
- 7.25 Furthermore the masterplan shows the site can be developed sympathetically to the existing landscape through the incorporation of a high level of green corridors, retaining vegetation and open spaces. The masterplan indicates the site will comprise a NEAP, 3 x LEAPs and 4 x LAPs. This is considered to be highly beneficial to the area as the facilities will be available to existing residents within the surrounding area as well as new residents. Further benefit is provided by the strong level of connectivity ensuring the site is easily accessible whilst also creating a distinctive place and cohesive community. The open space has been provided in accordance with the allocation set within the LDP alongside the requirements set in policy MD3 (Provision for Open Space).
- 7.26 Whilst landscaping is a reserved matter and will be detailed at the relevant stage the parameters provided give opportunity to future developers to design the site with strong landscaped areas. As such the proposal is considered to be in accordance with PPW10, TAN5 (Nature Conservation and Planning), TAN12 (Design), Policies SP10 (Built and Natural Environment), MG18 (Green Wedge), MD1 (Location of New Development), MD2 (Design of New Development), MD3 (Provision of Open Space), MD7 (Environmental Protection) and MD9 (Promoting Diversity) of the Vale Local Development Plan.

**The acceptability of the development in terms of in terms of traffic and transport and highway and pedestrian safety**

- 7.27 The proposal includes two access points along the sites western boundary. The most northerly access will serve primarily the proposals residential development whilst the second access point is primarily to serve the proposed school. The required visibility splays to DMRB standards can be achieved for the existing 40mph speed limit of Lavernock Road.
- 7.28 Whilst the layout determining the number of car parking spaces is a reserved matter a transport assessment has been completed by Asbri Transport based on the parameters proposed. The transport statement highlights the proposal aims to achieve a higher level of active travel and change in transport modes. To achieve this a number of options have been suggested including the implementation of nextbike facilities, electric car club/car-share club and increased bus services. The development site itself will include pedestrian and cycling infrastructure to promote and encourage residents to walk and cycle. This will link with the existing infrastructure along Lavernock Road, Railway Walk and the coastal footpath. The proposal is also supported by an interim travel plan for the primary school and full travel plan for the residential element of the development. The aim of the travel plans is to improve the sustainability of the site through promotion and raising awareness of more sustainable modes of travel. As such the proposal provides realistic opportunities for use of more sustainable modes of transport. The assessment concludes that the development is appropriate and acceptable in traffic and transport terms and that the traffic movements associated with the development proposals could be accommodated on the highway network.
- 7.29 In relation to sustainable transport the site is ideally located as is within close proximity to existing pedestrian/cycle links along Lavernock Road, Railway Walk and the coastal footpath. The development will provide the necessary pedestrian and cyclist infrastructure within the site to encourage residents to walk and cycle, with 2m wide footways included on one or both sides of the carriageway across the site. A key feature of the scheme is the central cycleway that will make use of the Railway Walk. Discussions have also taken place regarding a cycle link to Cosmeston Lakes. Where appropriate, shared use private drives will also be included, prioritising the needs of pedestrians and cyclists over that of vehicles.
- 7.30 As such whilst the detailed design of the scheme is a reserved matter it is evident that the proposal has the potential to incorporate a high level of sustainable transport features. Furthermore an interim travel

plan has been completed which highlights a strategy to encourage sustainable travel to and from the development.

- 7.31 It is therefore considered that the proposed access points and traffic movements associated with the scheme are acceptable. It has also been shown that the scheme can incorporate a high level of realistic sustainable transport options. The development is therefore considered to be in accordance with PPW10, TAN12 (Design), TAN18 (Transport), Policies MG16 (Transport Proposals), MD1 (Location of New Development), MD2 (Design of New Development) of the Vale Local Development Plan, Parking Standards SPG and Travel Plan SPG.

### **The acceptability of the development in terms of archaeology and cultural heritage**

- 7.32 As previously discussed an Archaeological and Heritage Assessment has been prepared by EDP. The site does not contain any world heritage sites, scheduled monuments, registered historic parks and gardens or listed buildings, where there would be a presumption in favour of their physical retention or preservation in situ. One scheduled monument and two listed buildings are located within a 1km study area of the site. The assessment has established that none of these assets are sensitive receptors in terms of the proposed development and there is therefore no potential for direct physical impacts and limited potential for any effects upon their setting that may result in harm to their significance. Consequently, it is unlikely that there would be harm to the significance of any designated assets within a 1km area of the site, resulting from its proposed development.
- 7.33 Following consultation with Rob Dunning at GGAT, it was recommended that the site possessed sufficient archaeological potential to warrant archaeological evaluation prior to the determination of a planning application. Following this, a geophysical survey was arranged across the areas of the site. The geophysical survey identified a number of anomalies in areas 3, 4 and 5 of possible or of uncertain archaeological interest. Subsequently the specification for the Archaeological Evaluation was designed by GGAT. The purpose of the specification is to set out a quantifiable schedule of works against which performance, fitness for purpose and achievement of quality can be measured. The specification identified the need for 7 trenches in order to determine the nature and extent of the anomalies highlighted by geophysical survey in areas 3-5. The results obtained from the seven trenches were varied, with only one trench containing positive archaeological features that could be matched with certainty to the geophysical anomalies. Trench 7, contained archaeological deposits in the form of two linear ditch deposits and a possible post-hole or pit, but none of these



features provided any dating evidence. The archaeological evaluation largely confirmed that the majority of geophysical anomalies identified as being of potential archaeological origin related to variations and breaks in the underlying natural limestone bedrock.

- 7.34 As such, development of the site is considered to be in accordance with PPW10, Historic Environment (Wales) Act 2016, Planning (Listed Buildings and Conservation Areas) Act 1990, TAN24 (The Historic Environment) alongside Policies SP10 (Built and Natural Environment), MG27 (Glamorgan Heritage Coast), MD1 (Location of New Development), MD2 (Design of New Development), MD7 (Environment Protection) and MD8 (Historic Environment) of the Vale Local Development Plan.

**The acceptability of the development in terms of drainage and flood risk**

- 7.35 A review of the TAN15 development advice maps identified the site is partially located within flood zone A as such is considered to be at little or no risk of fluvial or coastal/tidal flooding and partially within Zone B areas known to have flooded in the past. The proposal therefore is compliant with the aims of TAN15 and no further justification is required.
- 7.36 In relation to drainage separate foul and surface water drainage networks are to be provided. Welsh Water have confirmed that the existing network has capacity for the proposed residential development. In relation to surface water as the proposed layout is a reserved matter the design will be undertaken in accordance with The Statutory Standards for Sustainable Drainage Systems. The SuDS design will be subject to SAB approval. Whilst this is the case the proposed masterplan has considered SuDs with potential to utilise rainwater collection, infiltration methods and discharging into surface water bodies. Flexibility is needed to allow changes from the proposed masterplan to meet detailed SuDS design.
- 7.37 DCWW confirmed that an easement of 10m radius from the central point on any manhole or chamber of the treated effluent sewer will be required to allow for access. DCWW's records show a chamber to the south east of Lower Cosmeston Farm, but it is unclear if the chamber is within the site boundary. This chamber isn't shown on the topographical survey and its exact location will need to be confirmed to determine the extent of the easement. DCWW also confirmed that no easement along the length of the sewer will be required due to the depth of the sewer. DCWW advised that the future developer will need to ensure the exact location of the sewer is determined if piling works are undertaken.

- 7.38 The proposal is therefore considered to be in accordance with PPW10 alongside LDP policies MD1 (Location of New Development) and MD2 (Design of New Development) of the Vale Local Development Plan.

**The acceptability of the development in terms of arboriculture**

- 7.39 A tree survey has been completed by EDP which identifies of the items surveyed, 25 items categorised as B, of moderate quality. These items should be prioritised for retention, where practicable. Whilst the master planning of the development has been informed by arboricultural recommendations the layout is a reserved matter and the Tree Constraints Plan will be used when designing the scheme to ensure that trees categorised are protected. Furthermore the new planting has potential for greater longevity within the landscape and will enhance the species diversity for the site, whilst also contributing to the green infrastructure for the area. As such the proposal is considered to be in accordance with PPW10, TAN5 (Nature Conservation and Planning), Policies MD1 (Location of New Development), MD2 (Design of New Development) and MD9 (Promoting Biodiversity) of the Vale Local Development Plan.

**The acceptability of the development in terms of affordable housing**

- 7.40 Policy MG4 requires a minimum of 40% affordable housing on residential developments resulting in a net gain of 1 dwelling or more; or the conversion of existing buildings resulting in a net gain of 2 or more dwellings in Penarth / Sully. The proposal will provide 50% affordable housing and as such is compliant with Policy MG4 (Affordable Housing) of the Vale Local Development Plan.

**The acceptability of the development in terms of air quality**

- 7.41 An air quality assessment has been completed and supports the application with a section contained in the ES. The AQA identifies that the development has the potential to impact the air quality during the construction period and through the operation impacts of additional traffic generated. The AQA finds that with mitigation in place during construction the impacts towards air quality will not be significant. The AQA finds that concentrations of PM<sub>10</sub>, PM<sub>2.5</sub> and nitrogen dioxide will remain below the objectives at all existing receptors in 2022 with or without the proposed development. The conclusion are also consistent with the outcomes of assessments undertaken by the council. In relation to additional traffic generation the effects on air quality for residents living in the area have been shown to be acceptable at worst-case location with concentrations being below the air quality objectives. Overall the proposal is

considered to be acceptable in relation to air quality and as such is compliant with national and local planning policies including MD7 (Environmental Protection).

**The acceptability of the development in terms of noise**

- 7.42 A noise assessment has been produced to assess the impact of noise in relation to the proposed development. Where the measured levels indicate that noise may be a determining factor in the granting of planning permission, mitigation measures have been proposed to ensure satisfactory acoustic conditions are met. The assessment has identified that the site is suitable for residential and educational development, in accordance with the current parameter plans, without the need for specific acoustic mitigation measures. The proposal is therefore considered to be in accordance with PPW10, TAN11 (Noise), Policies MD1 (Location of Development), MD2 (Design of New Development) and MD7 (Environmental Protection).

**The acceptability of the development in terms of agricultural land**

- 7.43 A background paper was produced for the LDP relating to agricultural land classification this identifies there is a low probability of Best Most Versatile, due to likely soil limitations. Furthermore, should the land have been of a high quality it is unlikely to have been allocated for development. The proposal is therefore considered to be in accordance with PPW10 alongside LDP policies MD1 (Location of New Development) and MD7 (Environmental Protection) of the Vale Local Development Plan.

**The acceptability of the development in terms of ground conditions**

- 7.44 The ground conditions at the site have been investigated by Arcadis which includes a phase 1 desk study alongside phase 2 geo-environmental and geotechnical assessment. The assessment recognises that there is a historical landfill in the south east of the site which is grassed with an undulating surface profile. The contamination testing undertaken to date indicate that the site is not grossly contaminated and soil concentrations are below the threshold for a residential with plant uptake scenario. Whilst a few hotspots were encountered a remedial strategy will be able to provide mitigation upon final design being known. Within site areas underlain by in-situ natural materials, ground conditions are generally suitable to development for residential properties and the other forms of development proposed, utilising normal forms of construction and shallow foundation systems. Further investigation is required to confirm the ground conditions in the historic landfill area and in the infilled quarries.

- 7.45 The ground conditions have also been investigated by ESP the primary purpose of the intrusive investigation was to provide additional supplementary information to the intrusive investigation undertaken by Arcadis in 2018 and comprised investigation in areas where previous works had not been undertaken or to supplement pre-existing information. A remedial strategy has been proposed based on interpretations from the site investigation.
- 7.46 Whilst no asbestos was detected as parts of the site are occupied by landfill and previously developed land the presence of asbestos cannot be discounted. If any suspected asbestos containing materials (ACM) are identified during development, the advice of a suitably qualified specialist should be sought immediately. The investigation did not identify any ground water during the undertaking of exploratory works. Although collection of groundwater samples has been undertaken as part of the ongoing monitoring regime and will be reported as part of the addendum monitoring report. Whilst this aspect will be addressed in the addendum, review of leachate and groundwater data, has indicated generally low levels of most contaminants, however the presence of PAH in both leachate and groundwater has been recorded alongside high levels of iron, barium, boron and zinc. The potential impact of these compounds on Controlled Water will be addressed in the supplementary assessment. A ground gas monitoring regime is underway and is to be reported as an addendum on completion. Based on the available evidence it is anticipated ground gas protection measures will be required in development.
- 7.47 In relation to foundation design and construction the following has been identified:
- Area A*
- Mass concrete spread foundations could be used within Area A, constructed in the more competent St Marys Well Bay Formation encountered from depths of 0.95m beneath ground level, allowing for plasticity
- Area B*
- The presence of extensive compressible Made Ground possessing very low bearing and high consolidation properties could lead to significant and unacceptable settlements for developments constructed on shallow footings of any form. Therefore piled foundations would be required for the development.

*Area C*

Within Area C, only public open space is anticipated, however, should any subsequent development be proposed, it is considered that the piled foundations should be taken down to the bedrock at depths of around 7m below ground level.

*Area D*

Mass concrete spread foundations could be used at the site, constructed in the probable St Marys Well Bay Formation and/or Penarth Group, encountered from depths of 0.95m beneath ground level, allowing for plasticity.

7.48 It is also noted that a buffer is provided from the cliff edge to allow for any coastal erosion. This buffer has been included following discussions with the LPA. It is therefore evident that the majority of the site provide suitable ground conditions to accommodate the proposed development. There are areas of land that require remedial works to ensure safety although these are not envisaged to be problematic and can be dealt with at the reserved matters stage if development is proposed in those areas. Overall the proposal is considered to be acceptable in relation to ground conditions and therefore is in accordance with PPW10 alongside LDP policies MD1 (Location of New Development) and MD2 (Design of New Development) of the Vale Local Development Plan.

**The Well Being of Future Generations Act**

7.49 The Well-Being of Future Generations Act provides a number of goals against which new development proposal should contribute to positively. An assessment of the proposals impacts against the goals is provided in the table below:

Well-Being Goals	
A Prosperous Wales	The proposed development will provide convenient and sustainable access to housing, education, services and employment that will contribute positively to a prosperous Wales. <b>Impact – Beneficial</b>
A Resilient Wales	The proposed development ensures that adequate mitigation has been included within the proposal to ensure that habitats and key species are protected. The preservation of these habitats and species ensures a more resilient wales as the proposal recognises the complementary relationship between healthy ecosystems and Wales’ overall social, economic and cultural wellbeing. <b>Impact – Beneficial</b>

A Healthier Wales	<p>The proposed development is fully integrated with the surrounding neighbourhood. Cycle and pedestrian routes are provided. The provision of cycleways and pedestrian routes will encourage active travel and contribute positively to improving health outcomes. The provision of high-quality housing (both market and affordable) contributes positively to physical and mental wellbeing and is considered to provide significant health benefits. The provision of a significant amount of open space and play areas will also provide opportunities for exercise and activity which will provide health benefits.</p> <p><b>Impact – Beneficial</b></p>
A More Equal Wales	<p>The proposed development will provide improved access to housing, educational facilities and provide inclusive design of infrastructure that will create a more equal Wales.</p> <p><b>Impact – Beneficial</b></p>
A Wales of Cohesive Communities	<p>The proposed development is well integrated with the surrounding neighbourhood and has been master planned to ensure that future RM applications achieve the highest standard of placemaking which will contribute positively to achieving 'attractive, viable, safe and well-connected communities'</p> <p><b>Impact – Beneficial</b></p>
A Wales of Vibrant Culture and thriving Welsh Language	<p>The proposed development will nurture a new community that will promote and protect culture, heritage and the Welsh language. The proposal will through the provision of the open space and school encourage sports and recreation and will contribute positively to a vibrant Wales. The development has been designed to reflect the medieval history present at the site. The site will also provide improved connectivity between the Wales Coastal Path and Cosmeston Lakes Country Park which will nurture the vibrancy of these two important tourism and leisure assets.</p> <p><b>Impact – Beneficial</b></p>
A Globally Responsible Wales	<p>The use of local supply chains and locally sourced materials where possible will ensure that the proposal contributes positively to a globally responsible Wales. During the construction sustainable building practices will be adopted where possible. The proposal includes a number of biodiversity enhancements and green infrastructure.</p> <p><b>Impact – Beneficial</b></p>

### Other Material Considerations

#### *Socio Economic Benefits*

7.50 The proposal will provide a number of socio economic benefits both direct and indirect including:

- Employment opportunities

- During construction;
  - As part of the School facility;
  - Site maintenance
- Opportunities for working from home;
- Increasing spend within the local area supporting businesses;
- Providing opportunity for new local businesses to develop with an increase in population

## Conclusion

- 8.1 This Planning Statement accompanies a planning application submitted on behalf of Welsh Government. The application comprises an outline application for residential development, a primary school with all matters reserved other than access on Land at Upper Cosmeston Farm, Lavernock Road, Penarth.
- 8.2 The application site comprises land allocated within the adopted Vale of Glamorgan LDP for residential development, associated community facilities (0.1 - 0.2 ha), a primary school (1 ha) and public open space (1ha). The allocated area of the site is 22.2 hectares although the site has been extended to the south to 25.2 hectares. The site extension is due to the land allocated for the school being accepted as too small to accommodate a two-form entry primary school.
- 8.3 In relation to the principle of development the site is located within the settlement boundary and is allocated for housing with infrastructure including educational and community facilities. The inclusion of additional land to support the provision of a two-form entry primary school has been assessed and is not considered to harm the green wedge. As such the principle of developing the site for residential use with supporting educational and community facilities is considered to be accepted.
- 8.4 As noted within the landscape visual impact assessment the land as existing is undeveloped greenfield as such the residential development alongside associated facilities is going to be significant. Although even with what are deemed to be 'significant' effects in EIA terms, EDP concludes that there are few highly sensitive receptors (such as the Wales Coastal Footpath, Cosmeston Lakes Country Park and Penarth Pier) or receptors of higher experience (such as those travelling past the site along Lavernock Road) that would be affected significantly by the proposal in the long term. The masterplan also provides the opportunity to give enhancements to the site through green infrastructure, biodiversity and a high number of open spaces throughout.
- 8.5 The proposal comprises an outline application all matters are reserved other than access. As such a masterplan has been provided including parameters that demonstrates the proposed development can be accommodate in the site area. Whilst the layout is a reserved matter the masterplan shows that the site can be developed without detriment to the privacy and amenity of existing residential dwellings.



- 8.6 In relation to access there are two ghost-island priority junctions along the western boundary of the site with Lavernock Road. The required visibility splays to DMRB standards can be achieved for the existing 40mph speed limit of Lavernock Road. The transport assessment provided concludes that the development is appropriate and acceptable in traffic and transport terms and that the traffic movements associated with the development proposals could be accommodated on the highway network. As such the proposed access points to the site are considered to be acceptable.
- 8.7 As detailed above surveys and analysis have been completed relating to a number of material considerations. The reports provided demonstrate that the site can be developed without having a detrimental impact. Where the development may have an impact mitigation and enhancements have been proposed which ensure the development is acceptable.
- 8.8 It is, therefore, considered that the planning statement has suitably addressed the key material considerations for this site and its approval would provide sustainable development that would provide much needed housing as required by the adopted LDP. The development accords to the national planning framework, as contained within Planning Policy Wales (Edition 10) and its associated Technical Advice Notes as well as policies of the adopted Local Development Plan.
- 8.9 As such, it is respectfully requested that Vale of Glamorgan Council grant outline planning permission for the development, as proposed.