

ENVIRONMENT AND REGENERATION SCRUTINY COMMITTEE

Minutes of a meeting held on 16th October, 2019.

Present: Councillor Ms. B.E. Brooks (Chairman); Councillor Ms. S. Sivagnanam (Vice-Chairman); Councillors: V.J. Bailey, Mrs. P. Drake, V.P. Driscoll, M.J.G. Morgan, A.R. Robertson, L.O. Rowlands and S.T. William.

Also present: Councillors P.G. King (Cabinet Member for Neighbourhood Services and Transport) and E. Williams (Cabinet Member for Legal, Regulatory and Planning Services).

371 APOLOGY FOR ABSENCE –

This was received from Councillor G. John.

372 MINUTES –

RECOMMENDED – T H A T the minutes of the meeting held on 24th September, 2019 be approved as a correct record.

373 DECLARATIONS OF INTEREST –

No declarations were received.

374 VALE OF GLAMORGAN LOCAL DEVELOPMENT PLAN 2011-2026 – ANNUAL MONITORING REPORT 2019 (REF) –

The Head for Regeneration and Planning presented the report, which provided the findings of the Council's first Local Development Plan Annual Monitoring Report and sought approval for submission to Welsh Government by 31st October, 2019. The report had been referred from Cabinet following its meeting on 7th October, 2019.

The report related to the first Local Development Plan (LDP) Annual Monitoring Report (AMR) which assessed the performance of the policies in achieving the integrated Plan objectives which incorporated sustainable development and Strategic Environmental Assessment having regard to the Monitoring Framework set out in the LDP, and agreed by the inspector as part of the LDP examination and consequently adopted by the Council on 28th June, 2017.

The report outlined the format of the AMR which followed the suggested format set out in the LDP Manual. It distinguished between the core and local indicators in the monitoring framework and described the traffic light rating system which was used as a visual aid to monitor the effectiveness of the Plan's policies and provided a quick overview of policy performance.

The report identified that none of the triggers set out in the monitoring framework (and the relevant legislation or the Welsh Government LDP manual) had been met and therefore there was no need to bring forward an early LDP review.

The report set out some of the key achievements to date and confirmed that all of the targets for the 6 core indicators had been met. It highlighted the indicators where further research / investigation was required, new Supplementary Planning Guidance (SPG) needed to be prepared and member training would be provided.

Overall, the AMR showed that good progress was being made in implementing the majority of the Plan's policies and that the LDP strategy remained sound having regard to the monitoring framework included within the LDP. Accordingly, it was recommended that the first AMR was submitted to the Welsh Government by the 31st October, 2019 deadline and published on the Council's website in accordance with the statutory requirements. In addition, it was recommended that the Council prepare new SPG on employment and retail to provide further clarity on the relevant LDP policies and that member training was undertaken in relation to Policy MD1 and development outside settlements.

A Committee Member queried an increase in the number of Housing Starts, which was 108 in 2012/13 and had risen to 814 in 2018/19. In reply, the Head for Regeneration and Planning advised that 2012/13 was the height of the economic crisis when the number of Housing Starts had 'bottomed out'. In addition, Housing Starts were at its highest during 2015, at a time when the Vale did not have an LDP, so as a result a number of large scale developments were approved. He added that it was also important to recognise that the Vale was one of only two Local Authorities with a 5 year housing land supply strategy.

Referring to developments outside existing boundaries, a Committee Member suggested that it should be accepted that there was a gap in older persons / family housing provision for small rural settlements in the Vale. In response, the Head for Regeneration and Planning stated that new policies would make these sort of developments in rural areas more difficult. This was because sustainability was a key consideration. Although there would likely be specific policies around homes for older people, these would have to be concentrated in sustainable settlements so not necessarily acceptable for smaller locations.

In response to a query regarding housing developments and Natural Resources Wales (NRW) classification of C1 or C2 floodplains, the Head for Regeneration and Planning clarified that housing was not within the remit of NRW.

RECOMMENDED – T H A T the first Local Development Plan Annual Monitoring Report be endorsed for submission to the Welsh Government by 31st October, 2019 and for publication on the Council's website.

Reason for recommendation

To comply with Regulation 37 of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005.

375 PENARTH TO CARDIFF BARRAGE SUSTAINABLE TRANSPORT CORRIDOR WELTAG STAGE 2 UPDATE (DEH) –

The Head of Neighbourhood Services and Transport presented the report which provided an update on progress with the WelTAG Stage Two Penarth to Cardiff Barrage Sustainable Transport Corridor Study and made recommendations for the next steps to be considered as part of a Stage Three assessment.

For this item, a number of documents were tabled:

- An amended Appendix A, which contained changes following a meeting of the review group held on 14th October, 2019;
- A letter from the Head of Transport at Cardiff Council containing comments regarding Option 2; and
- 3 written representations from the Sully and Lavernock, Our Future Community Group; including representation highlighting their concerns particularly that the study did not extend to Sully. Secondly, was their letter sent to the Head of Neighbourhood Services and Transport, dated 8th August, 2019, outlining concerns during the First Phase of the study; and finally, an article from Transport Extra highlighting that Cardiff was already suffering from increased traffic flows from commuters.

The Committee then welcomed Mr. M. Fry from Arcadis, who was representing the Vale of Glamorgan as project manager. Mr. Fry then provided a presentation which outlined the WelTAG process and the work carried out to date.

Mr. Fry began by advised that WelTAG used in the appraisal of all transport interventions in Wales contained five key stages and was based around 'Five Case Model'. Currently, the process was at Stage Two, and following completion of WelTAG Stage One (May 2019), three options were approved for further consideration as part of a WelTAG Stage Two appraisal, encompassing:

- OPTION 1: Active Travel proposals for the Penarth to Cardiff Barrage Corridor
- OPTION 2: Cosmeston Bus Park and Ride and bus priority link across Cardiff Barrage
- OPTION 3: Cogan Multi-Modal Sustainable Transport Interchange

Mr. Fry advised that following completion of the WelTAG Stage Two appraisal and the project's Review Group meeting held on Tuesday, 24th September, 2019, the output of the WelTAG Stage Two study recommended the following:

- That OPTION 1 be progressed for further appraisal at WelTAG Stage Three. The WelTAG Stage Three appraisal should consider the potential transport benefits of all active travel measures included within the WelTAG Stage Two Outline Business Case report as part of a single option, with an additional recommendation to take forward the Penarth Headland Link (PHL) as part of a separate implementation programme to the other active travel measures (those measures other than PHL) due to the complexity

and large-scale context of the PHL proposal, as well as to allow the PHL appraisal to more widely reflect its potential leisure and tourism benefits. Therefore OPTION 1 would contain two elements. 1A being the smaller active travel measures and 1B being the Penarth Headland Link.

- That OPTION 2 is not progressed for further appraisal at WelTAG Stage Three.
- That OPTION 3 be progressed for further appraisal at WelTAG Stage Three, and that a partnership approach between Transport for Wales and Vale of Glamorgan Council provides the framework to take forward the appraisal.

For this item, two members of the public had registered to speak.

The first public speaker was Mr. R. Thomas, who explained that he was representing the Trustees of Penarth Headland Link and his comments would be limited to Option 1. Mr. Thomas advised that the Trust was a company limited by guarantee and a registered charity formed for the sole purpose of facilitating the building of the cycle and walking path known as the Penarth Headland Link. To that end they had delivered pro bono work worth over £250k to pave the way for the project on which the Council now led and which they strongly supported.

Mr. Thomas stated that the project had been talked about for over 30 years and was formally approved by Parliament as part of the Cardiff Bay Barrage Act 1993. This gave it planning permission. It was very fully considered as that Act went through Parliament. Since the Trust came together in 2015, Mr. Thomas stated that they had overwhelming support from residents in Penarth and the wider Vale as well as cross party support from Councillors. He explained that everyone was saying that “this was a no-brainer”. Mr. Thomas added that this was a simple project which would have a transformational impact. As well as promoting active travel, it would also provide economic benefit by linking the Capital City to the Wales Coastal Path. Mr. Thomas advised that there was a body evidence about the enormous benefit to any local economy of a long-distance footpath or a coastal path, but this short stretch was unique in its location and potential.

Mr. Thomas highlighted that several of the Esplanade shops in Penarth had closed, and people who had walked over the Barrage from Cardiff would turn back when faced with the climb up the headland. The link would therefore lead them to the Pier and the Esplanade, offering choices including Alexandra Park and the Town Centre, as well as opening active travel options to Barry and the wider Vale. This would show the Vale of Glamorgan as a progressive Council that could seize an opportunity and make it happen and perhaps bringing the hugely successful Cardiff Half Marathon fully into the Vale along with walkers and cyclists who turn back to the City. Mr. Thomas further outlined that the Link would open up a cycling route to work in Cardiff from Barry as well as Sully and Penarth and vice versa. This would be part of a sustainable transport corridor and be a major contributor to active travel. Mr. Thomas commented that the Trust had illustrated its work with examples from other parts of the world including Canada and New Zealand, and he stated that when the Link is built the world would come to the Vale of Glamorgan to see what the Council had achieved.

Finally, Mr. Thomas explained that over the past 5 years, the Trust had been into enormous detail in making sure that the Link could be built, managed and used as proposed and had looked at every factor. These included safety, cost and the best location as well as management factors which were all set out in the documents supplied to the Council. He stated that the Trust were well placed to assure the Scrutiny Committee that the current plans were sound and that the Vale of Glamorgan as a whole would benefit from prompt and efficient implementation. The intention was that would be at no cost to the Council.

In providing some points of clarification to the Scrutiny Committee, Mr. Thomas outlined the following:

- There would no expiry date for the planning permission;
- The Link would cost an estimated £10m, but the actual cost was difficult to predict as it would depend on which scheme was agreed. Welsh Government were aware of this and had not dismissed the project;
- There would be the possibility of commercial opportunities at both ends of the Link; and
- Cliff erosion in the area had been considered, with the route of the Link being 15 to 35 meters away from any cliff fall zone. The Link would therefore be sufficiently far enough away.

The second public speaker was Town Councillor Mike Cuddy, who explained that he had represented Penarth Town Council on the Review Group and also as a Trustee on the Pier Pavilion.

Councillor Cuddy advised that the forces behind the sustainable corridor approach were not new and reflected in the peoples vote for the Millennium Lottery Award for the Pont-y-Werin Bridge. So a lot of the heavy work had already been carried out and hence the good cost benefit ratio for Option 1A. He then referred to the Penarth Place Plan, advising that during 2013/2014, Penarth Town Council had engaged with the public on the priorities for a plan to guide initial planning for a place plan. One issue identified as a priority by the public was the links across Penarth and the difficulty posed in exploiting the opportunity provided by the Barrage. This would encourage visitors and residents up across Penarth Head to the Town Centre and Esplanade.

Councillor Cuddy then commented on the methodology used, and stated that for the large scale investment schemes there was previously a great deal of faith placed on quantitative cost benefit studies, this has been modified by Governments in the Greenbook and the 5 case model and the approach here reflected that. This all still relied on good data and sound assumptions. The WeTAG methodology used a combination of quantitative and qualitative methods, and in this study, Councillor Cuddy stated that the assumptions and data were quite transparent, but often based upon quite small survey samples and the model shift from the car 'small'. In making assumptions the Government had warned against 'Optimism Bias' that could arise in how the options were packaged and to the degree of confidence placed on assumptions. So there was the tendency to rely on history in making forward projections. Councillor Cuddy commented that the report admitted the weakness of some of the survey data and looked to do

further studies. He stated that in his view there had been 'Optimism Bias' in the context of the growing awareness of harm and this should be segmented to explore age range differences. Councillor Cuddy added that it was still the case that if you used money values they tended to trump qualitative statements such as the cost benefit ratio used here and if you spend hardly anything any benefit was large. This too should be addressed.

With regard to the Peer Review, Councillor Cuddy suggested, that given the number of assumptions that a degree of peer review be introduced, either through another consultancy or disinterested units in the present consultancies. Finally, Councillor Cuddy stated that there was very little knowledge of the technical issues for the Penarth Headland Link. If Options 1A and 1B were to be successful, then different work methodology was required. He also stated that in principle, Penarth Town Council were not against any of the options.

In coming back to comments made by Councillor Cuddy, the Head of Neighbourhood Services and Transport advised that more technical detail would be provided as part of the Business Case. She highlighted that should costs go up, then the WeITAG process could go back and forth on proposals at any stage. She agreed that more work was needed to ensure that the correct data was available.

In clarifying the Cogan Interchange, the Head of Neighbourhood Services and Transport stated that page 23 of Appendix A best illustrated what was being proposed. This was more than just a Park and Ride scheme, but the Business Case needed to look at what options would work best, and the local community would be able to make comments and contributions.

With regard to the splitting of Option 1 into 1A and 1B, a Committee Member queried whether this made the Penarth Headland Link less likely. In response, the Head of Neighbourhood Services and Transport advised that this would give 1B more focus and allow schemes under 1A to be progressed more quickly.

A Committee Member stated that the most important aspect of Option 1 was the Headland Link, and the Member queried the overall vision. The Member also queried whether consideration had been given to the accessibility of the scheme for older people and people with a physical impairment. In terms of the overall vision, the Head of Neighbourhood Services and Transport stated that bus service over the Barrage was within the Council's Local Development Plan, but there had been public concern regarding the impact on active travel routes. Cardiff Council had expressed the view that a bus link across the Barrage was still a preferable option. What had not been fully considered was the introduction of Electric Buses or Travel Pods, similar to those used at Heathrow Airport. Therefore, other more sustainable options were available other than a diesel bus.

In relation to Option 2, and a bus priority link across Cardiff Barrage, the Committee agreed that further work should be undertaken to assess the full range of transport options available, and to assess accessibility for older people and people with a physical impairment.

A Committee Member commented on consultation and engagement, stating that results could be skewed by the activity of pressure groups.

Subsequently, it was

RECOMMENDED –

- (1) T H A T the progress made on the Penarth to Cardiff Barrage Sustainable Transport Corridor WeITAG Stage Two Study relating to improving sustainable connectivity through the corridor between Penarth and Cardiff Barrage be noted.
- (2) T H A T Cabinet be advised that the Scrutiny Committee supports the progression of the recommended options (Options 1A, 1B and 3) as outlined within the Penarth to Cardiff Barrage Sustainable Transport Corridor WeITAG Stage Two study.
- (3) T H A T Cabinet be advised of the Scrutiny Committee's view in relation to Option 1 (1A and 1B) - active travel proposals for the Penarth to Cardiff Barrage Corridor, that emphasis to be placed on the active travel schemes that will be progressed under Option 1A.
- (4) T H A T Cabinet be advised that in relation to Options 1A and 1B, assessment should be undertaken of the accessibility for older people and people with a physical impairment.
- (5) T H A T Cabinet be advised that in relation to Option 2 and a bus priority link across Cardiff Barrage, that an assessment of the full range of transport options be undertaken along with an assessment of the accessibility for older people and people with a physical impairment.
- (6) T H A T Cabinet agree that a report of the further assessment of Option 2 be provided to the Scrutiny Committee.

Reasons for recommendations

- (1) To update Committee on progress made on the scheme.
- (2) To support progression of the Study and specific options, 1A, 1B and 3 to WeITAG Stage Three in principle.
- (3) In order to ensure strong emphasis to the active travel schemes contained within Option 1A.
- (4) To assess how accessible active travel schemes are for older people and people with a physical impairment.
- (5) To provide an assessment of all modes of transport associated with a bus link over the Barrage, and to assess the accessibility of such options for older people and people with a physical impairment.

(6) To report the findings the Scrutiny Committee of the further assessment undertaken of Option 2.

376 NATIONAL DEVELOPMENT FRAMEWORK (NDF) 2020-2040 CONSULTATION DRAFT – RESPONSE TO WELSH GOVERNMENT (MD) –

The Operational Manager for Planning and Building Control presented the report which sought endorsement of the response to the draft National Development Framework for submission to Welsh Government by 1st November, 2019.

The report set out the content of the Draft National Development Framework (NDF), having regard to its policies and proposals and how they affected the Vale of Glamorgan, the South East Wales region and the rest of Wales.

A response to the consultation had been prepared and was attached at Appendix A for Members' consideration. Where appropriate the Council had endorsed the content of the NDF. However, the consultation response raised a number of concerns. In particular:

- The lack of content and consideration of the Vale of Glamorgan and its role in the South East Wales Region;
- The deliverability of the NDF and its proposed outcomes;
- The overly prescriptive nature of the NDF in some policies / proposals (e.g. Green Belts);
- The omission of some key issues e.g. M4 congestion; and
- The lack of evidence supporting the NDF and its implications for Strategic Development Plan (SDP) / Local Development Plan (LDP) preparation.

In providing his comments, the Head for Regeneration and Planning explained that when the Council's LDP was put together, the Council had to ensure that development sites were deliverable. The concern with the NDF was that there had not been enough challenge of where sites were. It was therefore felt that the NDF was a missed opportunity.

A Committee Member stated that this was a robust response, and he queried whether enough action had been taken to protect Green Belts from being built on due to an increase in Cardiff's housing need. He asked why a Green Belt could not be identified in the Vale of Glamorgan. In reply, the Head for Regeneration and Planning advised that the Council had probably said as much on this as it could. He questioned evidence with the NDF, as there was no reason why a Green Belt had been identified for Newport, as Monmouth would likely be very attractive to new business and developments.

In referring to the regional Strategic Development Plan (SDP), a Committee Member stated that the NDF showed how the needs of the Vale of Glamorgan could be ignored and pushed aside, which increased the likelihood of land in the Vale being swallowed up to support the growth of Cardiff. In response, the Head of Regeneration and Planning stated that as a region similar comments had already gone back to Welsh Government. It was however better to try and work

with Welsh Government as there would be internal pressure to consider all aspects such as economic development. Furthermore, the Operational Manager for Planning and Building Control added that it was important to recognise that the NDF would also be scrutinised by the National Assembly, so she liked to think that they would take account of all comments received. In coming back to the Officer's comments, the Member stated that it would be better if the Council went further, and he hoped that the second draft would be improved. The Member went on and stated that the NDF and the SDP would cause issues for the Vale of Glamorgan, especially as voting rights for the SDP had been 'handed away'. Therefore, the Vale would be required to take more than its share of developments, so he wanted the Vale to be given fair consideration.

The Cabinet Member for Neighbourhood Services and Transport, with permission to speak, stated that the strategies would direct developers away from the Vale of Glamorgan. He hoped that the key to this was the Metro, which would improve sustainability and reduce traffic congestion.

In clarifying the position of the Vale's Local Development Plan (LDP), the Operational Manager for Planning and Building Control advised that the NDF would have the same legal status. If the NDF was adopted, then there would be policies that the Council would have to take into account when delivering the LDP.

RECOMMENDED – T H A T the Consultation Response at Appendix A be endorsed.

Reason for recommendation

Following consideration of the Consultation Response attached at Appendix A.