



# Cardiff County Council

## Local Development Plan 2006 - 2026

Office Use Only

Date Received

Representor  
Number

### Additional Matters Arising Changes October 2015 Representation Form

As part of the Examination into the Cardiff Local Development Plan (LDP) additional Matters Arising Changes have been proposed to the LDP. These changes are set out in the Matters Arising Changes Schedule (October 2015). This is your opportunity to comment on these proposed Matters Arising Changes (MACs). All previously submitted comments have already been considered by the Inspectors and so this form should **only** be used to comment on the October 2015 Matters Arising Changes.

All completed forms should be returned by **midnight on 26<sup>th</sup> November 2015** to: LDP Team, Room 422, County Hall, Cardiff, CF10 4UW or email [LDP@Cardiff.gov.uk](mailto:LDP@Cardiff.gov.uk)

Also available for comment are the Sustainability Appraisal and Habitats Regulations Assessment of the Matters Arising Changes at [www.cardiff.gov.uk](http://www.cardiff.gov.uk).

#### PART 1: Contact details

Your/ your Client's details		Agent's details (if relevant)
Title:		
Name:	Helena Fox	
Job title: (where relevant)		
Organisation: (where relevant)	North West Cardiff Group Representor: 2682	
Address:	Old Church Rooms Park Road Radyr CF15 8DF	
Telephone no:	02920 842213	
Email:	clerk@radyr.org.uk	

Please note that all representations will be made available for public inspection and cannot be treated as confidential. However to ensure data protection we will remove personal details from publically accessible documents

Signed: 	Date: 25.11.2015
---	------------------

## PART 2: Commenting on Matters Arising Changes

**Which Matters Arising Changes do you wish to comment on (Please refer to the Matters Arising Changes Schedule)**

Matters Arising Changes reference (e.g. MAC 1)

<b>MAC 1 KP3(A)</b>	Object	
<b>MAC 4 KP1</b>	Object	
<b>MAC 5 KP2(C, D&amp;E)</b>	Support	
<b>MAC 8 KP6</b>	Object	
<b>MAC 10 KP 8</b>	Object	
<b>MAC 61 M2</b>	Object	
<b>MAC 75 and Monitoring Framework</b>	Object	

**If you are objecting to a change it would be helpful if you could indicate which Test of Soundness you consider it to fails (Please refer to guidance note).**

CE1  
CE2

*Please note if you do not identify a test it will not mean your comments will not be considered.*

## PART 3: Your Response

**Your comments should be set out in full and relate to the Matters Arising Changes only.**

**Please use the space provided to set out your representation. Please be explicit as to which ‘matters arising change’ your comments relate to.**

*(Continue on a separate sheet/expand box if necessary)*

### **GENERAL COMMENTS:**

1. The response of the North West Cardiff Group (NWCG) to the Further Matters Arising Changes (FMAC) is based on pragmatic assessment and deep local understanding of what works and what does not, informed by professional planning, transportation and chartered surveyor advice. We are not “nimbys”, but people with a wide range of backgrounds and experience who care deeply for the economic, social and environmental future of this great City. Our comments are supported by the vast majority of our 24,000 residents.
2. NWCG is not satisfied that the LDP preparation process took due account of views other than the vested interests of landowners and developers. The independent Examination process was established to ensure that the LDP meets the statutory tests of coherence and sustainability. Unfortunately, the Deposit LDP (DLDP) with the FMAC fails to meet those tests by a wide margin.
3. We urge the Inspectors to re-visit our proposed changes and to amend the DLDP by including policies to require phasing of strategic transport and other infrastructure in

advance of development, funded by contributions from S106 or CIL ie capture of some of the uplift in land value created by the planning system. If that does not happen existing and future businesses, residents and visitors - as well as the economy of Wales as a whole - will be the losers. Trust in the planning system in Wales will rely heavily on whether the Examination process delivers a balanced, sustainable and deliverable LDP for Cardiff.

#### **MAC 1 KP 3(A)**

1. We object to this change in the strongest possible way. As stated at the recent Hearing, we support Cardiff Council's robust, compelling and fully justified proposal for a Green Belt.
2. It is significant that Cardiff Council members have now given unanimous cross-party support to their officers in favour of a Green Belt.
3. Green Belt is a relatively new policy in Wales and only used by one authority, Newport City Council, to designate a tiny strip of land. If this national policy is not relevant to the capital of Wales, to where is it relevant?
4. We support Cardiff Council's argument that the principle of having a Green Belt as part of a balanced strategy has been established. We note evidence provided by Cardiff Civic Society at the recent hearing that the Green Belt has been justified by strategic work undertaken jointly by the 10 local authorities that comprise the City Region. Without a Green Belt, Cardiff's LDP cannot pass soundness tests CE1 and CE2: its policies are neither coherent, compatible with those in adjacent areas, realistic nor appropriate.
5. We object to the pressure brought by Welsh Government to make a change from Green Belt to Green Wedge against the wishes of the residents of Cardiff. At the Preferred Strategy Consultation 82% of the Citizen Panel and 91.8% of the LDP Consultation supported a Green Belt.
6. The combined effect of the delay and uncertainty about the final decision on re-organizing local government, together with deep expenditure cuts, makes the likelihood of the City Region SDP being adopted within the next 10 years very unlikely. Thus, there is likely to be a policy vacuum at the end of the current LDP period when its policies will cease to apply. In any case, there is a very real risk that a Green Wedge designation will be over-ridden in the interim unless house-building over-takes pre-recession levels, something that appears increasingly unlikely given the economic circumstances in Wales. The Green Belt includes land admitted at the Hearings to be difficult to develop but which provides a priceless and distinctive landscape setting for Cardiff, and is the only certain way of preventing coalescence between Cardiff, Caerphilly and RCT.
7. Planning Policy Wales (PPW) states that the only difference between a Green Wedge and a Green Belt is that the latter is in force beyond the Plan Period. It has taken Cardiff 20 years to get to the Examination of its LDP since the adoption of their last plan and there is every possibility that the Plan Period (and the Green Wedge protection) will expire before a replacement LDP is provided.
8. PPW does not look at the relative weight of policies. In planning appeal decisions, the lack of a 5-year land supply can over-ride policies with less weight than that of a Green Belt. Caerphilly County Borough Council is a good example: the section of Caerphilly Mountain within its boundary is designated a "Special Landscape Area" but the Council is now considering – and is likely to approve - a 600-house development on part of the land because it has not got a 5-year land supply despite having an adopted LDP.
9. The land proposed for Green Belt protection is a topographically distinctive natural feature of Cardiff and provides a much-valued green backdrop to the City. It is of high landscape value and contains some of the best quality agricultural land in Wales. A Green Belt would provide long-term protection for the land and emphasize Cardiff's unusual setting as a city set between the sea and the green Welsh hills. It deserves that protection.

10. The Non-Technical Summary of the Final Sustainability Appraisal Report of the DLDP (October 2015) codes **red** for Landscape in Table 1 for Strategic Sites C-G. This underlines the need to protect against further loss of Cardiff's landscape heritage.
11. It was clear from comments made by both Cardiff Council and developers at the recent Hearing that there is already considerable interest in strategic development of land proposed as Green Belt. A Green Wedge signals to developers that land not identified in the plan for building might become available to them and limits protection to only 11 years.
12. As Cardiff Council argued at the Hearing, a Green Belt will help focus development and reduce urban sprawl in the areas between Cardiff, Llantrisant and Caerphilly for which there is no prospect of viable public transport provision now or in future. The proposed Metro does not provide rapid transit for this area.
13. We support the argument made by Mark Drakeford, AM and Kevin Brennan, MP that a Green Belt is consistent with the objectives set out within Planning Policy Wales. The local authority's proposal for a Green Belt would have secured an ability to:
  - a. prevent the coalescence of large towns [Caerphilly and Llantrisant] and cities [Cardiff] with other settlements;
  - b. manage urban form through controlled expansion of urban areas [the City];
  - c. assist in safeguarding the countryside [in north Cardiff] from encroachment;
  - d. protect the setting of an urban area [Cardiff] ; and
  - e. assist in urban regeneration by encouraging the recycling of derelict and other urban land.
14. We wish to add our support to these further arguments made by Cardiff Council, our AM and MP and others in support of its original case for a Green Belt designation.
  - a. A Green belt designation is appropriate in this case because only it can provide strategic management of urban form, safeguard the setting of the city and cover a wide area along the urban boundary in a way consistent with environmental policies of neighbouring authorities. In contrast, a 'Green Wedge' would be more appropriate if it was simply a means of safeguarding green spaces between settlements within the county boundary, something not relevant in this case.
  - b. Designations in neighbouring authorities that would border this area are consistent with a green belt designation, and those neighbouring authorities have made no objections to these proposals.
  - c. If a Green Belt is not designated now, this could undermine the arguments for a Green Belt in the future if the 'openness' of the area is compromised by development. It is therefore in the interests of the present and future citizens of Cardiff for the local authority to make this designation now.

#### **MAC 4 KP 1 Para 4.42**

We object to the increase, albeit slight, in housing provision. We continue to argue that the proposed housing numbers cannot be delivered in the remaining 11 years of the plan because of protracted economic difficulties. If housing delivery continues at current low levels for years - as we suspect - the vagaries of the calculation of housing land supply could lead to pressure for release of yet more land for housing and an unsustainable pattern of development.

#### **MAC 5 and KP 2**

1. KP2(C): amended paragraph 10: We support the amendment re Search Area A.
2. KP2(D&E): amended paragraph 9: We support the amendment re Search Area B.
3. We also support the suggestion from our AM and MP and others to swap Strategic Site E for Search Area B, for the reasons set out in their previous consultation response.

### **MAC 8 and KP 6 Para 4.89-90**

1. The updated Infrastructure Plan (IP) should be incorporated within the LDP so that its contents have Development Plan status. This would also make the IP subject to consultation and scrutiny. The IP is key to the LDP's success and it is a soundness issue that it is included in the LDP. The current proposal to add detail as time goes by will not deliver any certainty.
2. We continue to argue that the wording should be amended to require the Council to ensure that essential/enabling infrastructure, both off- and on-site, is in place *before* housing developments on the strategic sites are occupied, otherwise the LDP will fail soundness tests CE1 and CE2.
3. Paras 4.89-90: We support the Council's new infrastructure categories but different names would make them clearer and more specific. "Category 1" could be called "Advance Infrastructure" to be provided in advance of beneficial occupation of the first buildings, and "Category 2" called "In-Phase Infrastructure" to describe the infrastructure needed in-phase with development.
4. This further consultation shows that the process has not yet addressed and sorted out all the issues in the LDP, particularly transport. Where is the detail for the first 5 years, let alone the rest?

### **MAC 10 KP 8 Para 4.105**

1. There is a significant inconsistency in the MAC on the 50:50 modal split that goes to the heart of the LDP strategy: it cannot simultaneously be necessary on all journeys while some strategic sites will not be required to achieve it.
2. There is an unrealistic circular argument around the 50:50 split: developers assume a 50:50 split because that is what the LDP says that is what is needed; Cardiff Council says it will achieve a 50:50 split because the developers will achieve it through their Masterplans. Nowhere is it demonstrated how the 50:50 split will actually be achieved either on the strategic sites or across the city as a whole.
3. Without the addition of phasing policies to ensure advance provision of strategic off-site transport infrastructure the LDP will be unsustainable and thus unsound.
4. New para after existing para 4.105: We strongly object to this amendment which undermines the LDP's commitment for a 50:50 modal split for all journeys. This commitment was clearly repeated in the recent Hearings.
5. The red amendment gives significant "wriggle room" for strategic sites to 'contribute to delivery' but not actually achieve the 50:50 target.
6. If new developments do not achieve 50:50, more existing residents will have to change to sustainable modes otherwise - as Cardiff has conceded - the road system will not cope. The sustainable transport infrastructure proposed has not been demonstrated to be of a scale and capacity to effect a switch of tens of thousands of existing journeys from car to sustainable modes.
7. Current planning applications for developing part of the NE corner of Strategic Site C (Land N/S Llantrisant Road in Radyr and Fairwater) highlight some of the wider off-site issues we have raised which are not covered by site Masterplans: road junctions and traffic measures are inadequate and based on inaccurate and/or muddled evidence. While S106 should mitigate the impact of the development we already see developers trying to limit Toucan crossings.

8. The current modal split is 75:25 in Radyr & Morganstown and up to 90:10 in Creigiau. Radyr Station is proposed to have 179 extra car parking spaces and a new bicycle store. Even if all this extra space is filled by new rail users it would represent a minute addition to sustainable travel from Radyr. Given the fact that cheaper fares to Cardiff start at Radyr it is more likely to draw traffic into the area from elsewhere as it is advertised as a park and ride station.
9. Where developers cannot provide a robust calculation of likely modal split from their developments and provide infrastructure that will achieve 50:50 split on all journeys, their planning applications should be refused. Cardiff will need statistically reliable data-capture and city-wide transport modelling analysis to allow accurate monitoring. Developers should contribute to the cost of this work.

#### **MAC 61 M2**

1. We welcome the latest changes re environmental improvements and consideration of impacts.
2. Whilst we accept that more aggregates and minerals will be required directly as a result of this LDP, we are concerned at the scope for quarry deepening or lateral extension without consideration of the impact on water courses, the stability of rock layers and transport impacts.
3. There is an absolute need for M2 to include links to development management criteria. We consider that these should include phasing and proposals to mitigate the impact of related heavy haulage in terms of routes as well as hours of working.
4. There must be enforceable limits to lateral extensions at Creigiau and Tonmawr quarries within M2.
5. The LDP must include policies to reduce noise and other environmental impacts to a minimum, and criteria relating to provision of haul roads to the Strategic Sites.

#### **MAC 75 and Monitoring Framework**

1. We have argued consistently that there should be a rational means of phasing development within the LDP. This should include release of any additional land ONLY IF the current enormous allocations prove insufficient. The LDP should be amended to include a phasing policy with a requirement for review of the LDP should additional land need to be brought forward.
2. It would make sense for the journey time target to differentiate between modes, for any changes to be quantified, and for there to be a pause in granting further planning permissions should the targets not be met
3. OB1 EC19, EC20: A trigger of 'annual improvement in bus journey times/reliability of 1% for two or more consecutive years' will need a true baseline picture of Cardiff's pre-LDP development transport patterns and flows as well as detailed monitoring thereafter.
  - a. We suggest a programme of monitoring congestion on all key corridors, radial and arterial routes and in the City Centre by means of traffic and passenger counts, length of peak periods, travel times and queue lengths for both weekdays and weekends, with regular publication of comparative measurements for the same day/period in previous years. This work should be paid for by pooling contributions from developers with the work done by consultants appointed by Cardiff Council. Local communities, including Community Councils, could be involved in monitoring local congestion – it does not have to be solely down to Cardiff Council.
4. OB2 SO26: We support Cardiff Civic Society's suggestion that the flexibility sites' trigger should be amended to read "if more than 13,910 dwellings are built *between 2016 and 2026*". As it stands, the target has already been achieved in terms of completions since

2006.

5. The inclusion of direct reference to the Infrastructure Plan in the Monitoring Framework is welcomed. However, the confidence of the public would be considerably strengthened if the wording of the framework required the council not only to 'consider' but to 'consider and implement' changes to the plan *in support of the original objective*, particularly where build rates do not reach the levels anticipated in the plan.
  - a. Where the delivery of infrastructure does not keep pace with the delivery of housing, it is important that Cardiff Council has a basis for rebalancing its plans in favour of the sustainability policies of the plan, to which it itself has made a commitment throughout the plan's development.
  - b. Our fundamental position remains unchanged: houses should not be allowed to be built and occupied unless there is the strategic infrastructure there to support them.
6. The Monitoring Framework does not make adequate reference to the democratic oversight of the plan, and we agree with our AM and MP that this is deficient, considering the level of interest demonstrated by the active participation of the NWCG and so many individuals and community groups in the Examination process. A reference to the relevant Council committees, to community councils, and to other interested parties, should be included as a minimum.

## **PART 4: What Happens Next?**

**All comments received by the closing date will be forwarded directly to the Inspectors for consideration; noting that they will not receive a response from the Council. Should the Inspectors decide that further hearing sessions are necessary please indicate whether you would want to speak at a session. It is important to note that written comments will be given the same weight by the Inspectors as those made verbally at a hearing session**

***4a) Do you want your comments to be considered by 'written representations' or do you want to speak at a hearing session?***

***(Please tick ✓ one of the following)***

**I do want to speak at a hearing session.**

***4b) If you wish to speak, please confirm which part of your representation you wish to speak to the Inspector about and why you consider it to be necessary to speak at the Hearing***

***We wish to be able to speak to all the points raised above and to participate in discussions on any points raised by other parties to this consultation.***

***The NWCG represents over 24,000 residents in NW Cardiff and has been an active participant and contributor to the LDP process to date.***

The Matters Arising Changes Schedule (October 2015) is available on the Council website at: [www.cardiff.gov.uk](http://www.cardiff.gov.uk) Hard copies are also available for public inspection during the consultation period at: County Hall, Atlantic Wharf, Monday to Friday between 9.00am and 4.00pm. They will also be made available at all local libraries.



## Additional Assistance

If you require assistance to complete the form or have any questions relating to your representation please contact:

LDP Team,  
Strategic Planning – Policy  
Cardiff Council  
Room 422  
County Hall  
Atlantic Wharf  
Cardiff  
CF10 4UW

**Telephone: 029 2233 0983**  
**E-mail: [LDP@cardiff.gov.uk](mailto:LDP@cardiff.gov.uk)**

## Tests of Soundness

	<b>Procedural Tests</b>
P1	It has been prepared in accordance with the Delivery Agreement including the Community Involvement Scheme.
P2	The plan and its policies have been subjected to Sustainability Appraisal including Strategic Environmental Assessment.
	<b>Consistency Tests</b>
C1	It is a land use plan which has regard to other relevant plans, policies, and strategies relating to the area or to adjoining areas.
C2	It has regard to national strategy.
C3	It has regard to the Wales Spatial Plan.
C4	It has regard to the relevant community strategy/ies (and National Park Management Plan).
	<b>Coherence and Effectiveness Tests</b>
CE1	The plan sets out a coherent strategy from which its policies and allocations logically flow and/or, where cross boundary issues are relevant, it is compatible with the development plans prepared by neighbouring authorities
CE2	The strategy, policies, and allocations are realistic and appropriate having considered the relevant alternatives and/or are founded on a robust and credible evidence base.
CE3	There are clear mechanisms for implementation and monitoring.
CE4	It is reasonably flexible to enable it to deal with changing circumstances.