

CAERPHILLY LOCAL DEVELOPMENT PLAN 2006-2021

EXAMINATION IN PUBLIC

(APRIL/MAY 2010)

**Objections to Omission of land as a residential land allocation –
Croespenmaen Industrial Estate (Representor No 2632, Site
D14).**

**SUBMISSION ON BEHALF OF GB ENGINEERING AND BRACES BAKERY
LTD**

(Asbri Ref: 07.175)

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1 INTRODUCTION

- 1.1 This statement is produced on behalf of G.B. Engineering Ltd and Braces Bakery Ltd and responds to various issues raised by the Inspector for consideration by Written Representations and appearance at the relevant Hearing session scheduled for 5th May 2010, through the Examination in Public procedures.
- 1.2 My Clients are objecting to the omission of the site at Croespenmaen (Reference 2632. D10) as a residential land allocation. The site comprises that area which lies within existing development limits, and is not protected employment land. It is the intention of existing industrial operations, including G.B. Engineering, Braces Bakery and Remploy, to relocate to new, purpose built premises at nearby Pen-y-Fan Industrial Estate. Whilst we draw the Inspectors attention to the previous representations made, we are submitting further written evidence to the Inspector for consideration through the Examination process. This assesses the proposal against the 10 Tests of Soundness, and analyses the Council's response to previous representations submitted.
- 1.3 My Clients have played a full part in the preparation of the Local Development Plan, and welcome this opportunity to submit evidence to the Inspector through Asbri Planning Limited.
- 1.4 This statement is structured as follows:
- In Section 2 we consider the submission in the context of the 10 Criteria for assessing soundness as identified in Local Development Plans Wales
 - In Section 3 we provide a response to the Council's Analysis of the Site
- Our Conclusions are recorded in Section 4.

2.0 CONSIDERATION AGAINST TESTS OF SOUNDNESS

2.1 This section examines the Plan against the 10 criteria for assessing soundness, as identified in Local Development Plans Wales (Welsh Assembly Government, 2005). These are categorised below under the Procedural (P 1-2), Consistency (C 1-4) and Coherence and Effectiveness Tests (CE 1-4).

P1: the Plan has been prepared in accordance with the Delivery Agreement including the Community Involvement Scheme.

2.2 The Addendum to the Delivery Agreement, including the Community Involvement Scheme, made provision in the Indicative Timetable, agreed by the Council in 2009, to consider 'Focused Changes'. This reflected Welsh Assembly Government Circular CL-01-2009 which allowed planning authorities to consider focused changes appropriate to ensure that the Plan is sound.

2.3 Whilst the first set of Focused Changes was rescinded by the Council following pressure from the Welsh Assembly Government, it is clear from the decision of Full Council on 15th September 2009 to seek to delete major allocations that no political will exists to progress development of those sites. On this basis the Delivery Agreement, which states in paragraph 9.15 that "*Elected Members are directly accountable to the electorate and are the people who will make the final decisions at key stages throughout the process*" is open to question as it is clear that Members did not feel that they had been properly engaged.

P2: the Plan and its policies have been subjected to sustainability appraisal including strategic environmental assessment.

2.4 It is apparent that in meeting some SA/SEA objectives, such as the need to exploit brownfield opportunities where appropriate, not enough emphasis has been placed on focusing on sites which are brownfield in nature, which are deliverable within the Plan period, which reflect the existing pattern of

development, and which would create improved conditions for local residents via a reduction in heavy traffic which currently passes through residential areas.

- 2.5 The credibility of the SA/SEA process was also diminished during the original 'Focused Changes' stage which involved the re-assessing of sites which were proposed to be deleted. It was clear from this that the officers allowed political factors, not based on a proper planning or sustainability rationale, to influence the exercise, which should be iterative, transparent and objective.

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.

- 2.6 Evidence being put forward by the Home Builders Federation will support the argument that an insufficient range and choice of housing land is proposed to be provided in the LDP, and will question the ability of the Plan to meet revised 2006 – based population projections published by the Welsh Assembly Government. The southern part of the Caerphilly County Borough in a regional context is a sustainable location in terms of its proximity to both Cardiff and Newport and its good public transport links. In this respect the Caerphilly Local Development Plan does not have regard to adjacent local authority areas, including Newport and Rhondda Cynon Taf, where through their respective LDP strategies, are promoting high growth scenarios which are consistent with the up to date household based population projections.

- 2.7 Whilst the identification of the 'Northern Connections Corridor is highlighted as an area of comparative growth, the sites proposed to be allocated can accommodate only 1,818 units. This level of growth, whilst acknowledging there is an allowance for 'windfall sites' is nevertheless disputed in providing a sufficient range and choice of housing land opportunities. There is a need to provide for a wider choice of sites by further specific allocations such as Croespenmaen Industrial Estate in order to give more certainty.

C2: it has regard to national policy

- 2.8 The key policy documents that relate to the site being promoted are Planning Policy Wales and the Housing Ministerial Planning Policy Statement – MIPPS 01/06. Paragraph 9.2.9 of the MIPPS states that, in deciding which sites to allocate for housing, planning authorities should consider the 'physical and environmental constraints on development of land' and the 'compatibility of housing with neighbouring established land uses'.
- 2.9 As such development at Croespenmaen Industrial estate would be compatible with established land uses. In respect to this site, therefore regard has not been paid to national policy, which in Planning Policy Wales, encourages preference for the re-use of land which secures land for urban extensions and facilitates the regeneration of existing communities (Paragraph 2.7.2).

C3: it has regard to the Wales Spatial Plan

- 2.10 The Wales Spatial Plan (WSP) provides a framework for the future spatial development of Wales, and integrates the spatial aspects of national strategies, including social inclusion, economic health, transport and environmental policy. The South East Development Framework proposes distinct approaches for three areas in South East Wales. Croespenmaen is included in the Connections Corridor, which includes the lower South Wales valley areas. Here there is emphasis on initiatives in key settlements, including Caerphilly and Blackwood, where there will be a focus on creating affordable and attractive places to live and improving transportation linkages.
- 2.11 The Croespenmaen area is well suited to meeting Wales Spatial Plan objectives in being close to employment opportunities at Oakdale and Penyfan, and accessible to bus routes along Kendon Road and passenger rail services along the recently opened Ebbw Vale to Cardiff line at Newbridge Railway station.

C4: it has regard to the relevant community strategy

2.12 The Caerphilly County Borough Community Strategy : Community Planning in Action, was published in 2004 (Examination Library Document LA 11). This sets out objectives under 4 themes of Living Environment; Regeneration; Education for Life and Health, Social Care and Well-Being. One of the Objectives under the theme of Living Environment is to:

“encourage the development and maintenance of high quality, well designed and efficient sustainable homes and environments which can meet all needs.”

2.13 In the light of the above points made in respect of the other Consistency Tests, it is apparent that a wide range and choice of housing sites is required, which will not be met by the provisions of the Plan as it currently stands.

CE1: the Plan sets out a coherent strategy from which its policies and allocations logically flow and, where cross boundary issues are relevant, it is compatible with the development plans prepared by neighbouring authorities.

2.14 The Plan is coherent in the sense that, in broad terms the Strategy Areas identified exhibit differing characteristics which the policies seek to address. However, the site allocations proposed in the Northern Connections Corridor, in placing a reliance on constrained sites ignore further potential sites, such as the land at Croespenmaen, which could contribute to the delivery of the strategy. In seeking to achieve aspirational targets of maximising the amount of constrained 'brownfield' land to be developed, the Council is therefore failing the above Coherence test in ignoring deliverability issues and the provision of a satisfactory range and choice of housing opportunities.

2.15 As such the Caerphilly LDP should reflect Plans of adjacent local authorities, including Cardiff, Newport and Rhondda Cynon Taf in seeking to meet up to date household projection figures, encourage more opportunities on brownfield land, such as the site being promoted, which is deliverable and

which would meet other objectives, including an improvement to local residential conditions.

CE2: the strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base.

2.16 Further to the above points, the Plan as it stands assumes that its housing land allocations will come forward within the remaining 11 years of the Plan Period. This is questionable as several of the largest housing land allocations proposed, including the Aberbargoed Plateau (413 units), the Navigation Colliery Site, Crumlin (145 units) and at Bedwas Colliery (630 units) are constrained by a number of factors. Evidence submitted separately by Asbri Planning at the Examination will effectively demonstrate that the Bedwas Colliery site is heavily dependent on public funding and the allocation as a whole is unsound. The Aberbargoed and Crumlin sites were proposed to be rejected by Council Members at the Council meeting of 15th September and it is clear that no political will exists to further the development of the schemes.

2.17 Allied to the above is the fact that a large proportion of units on sites in the Northern Connections Corridor, suffer major constraints and/or are currently categorised as 3(i) in the most recent Joint Housing Land Availability Study (JHLA) and may not come forward within the remaining Plan period. These include the following large sites:

Site	Number of Units
HG 1.47 – Fields Park, Newbridge – 3(i) in HLA	80
HG 1.32 – Hawtin Park (Previous resolution to delete from Plan – 3(i) in JHLA, ecological constraints)	194
HG 1.34 – Tiryberth (33 in UDP - 3(i) in JHLA)	173
HG 1.25 – Navigation Colliery (Previous resolution to delete from Plan – flood risk, listed buildings, ground condition constraints)	145
Total	592

2.18 The large sites referred to above make up almost a third of the units on the sites allocated in the Northern Connections Corridor. Even if development were to commence at the latter stages of the Plan Period, it is unlikely that more than some 30 units per annum would be completed on any of the sites in question.

CE3: There are clear mechanisms for implementation and monitoring.

2.19 Mechanisms previously used for monitoring, which will continue to be employed include the Joint Housing Land Availability Studies. It will be important to monitor the uptake of land and status of sites, in terms of achieving a 5 year housing land supply, particularly in the Northern Connections Corridor.

2.20 There are no clear mechanisms, however, for bringing sites forward which are constrained. The Council is relying heavily on improved market conditions which, even in a buoyant economy, may not favour the uptake of many sites. In order to secure realistic development opportunities in this area, the release of those brownfield sites in attractive, accessible locations on the edge of settlements, where there are positive indications that existing uses can be relocated in a short timescale is necessary.

CE4: it is reasonably flexible to enable it to deal with changing circumstances.

2.21 The Local Development Plan is seeking a high proportion of proposed residential development on previously used, brownfield sites in the Northern Connections Corridor – 67%. In concentrating on previously developed sites, an emphasis should be placed on those which will be more likely to be marketable in the continuing, uncertain housing climate.

2.22 In the case of the site being promoted, a comprehensive housing

development, providing a range of housing types could be achieved which addresses site constraints and delivers a good design solution to complement the edge of settlement location. A revised Self Assessment of the site against accepted Sustainability Appraisal/Strategic Environmental Assessment criteria is included in Appendix 2. The Council's assessment of the site is challenged in the following section.

3 RESPONSE TO COUNCIL'S ANALYSIS OF THE SITE

- 3.1 The Council's assessment of the Site, as published in the Council Report on the Deposit and Alternative Sites Consultation (Examination Document SB56) of 15th September 2009 concludes that:

“Large parts of site D14 lie outside the defined settlement boundary in the open countryside or are protected for other purposes in the Deposit LDP. More appropriate housing sites are already designated in the strategy area, which together make sufficient provision for housing. Therefore it is not considered appropriate to allocate this land as well.”

It was recommended to the Planning Inspector that no change be made to the plan in respect of the representations for the following reason:

“The Council recommends to the Planning Inspector that no change be made to the LDP in respect of the representation regarding allocating site D14 for residential development.”

- 3.2 It has been established in the previous section of this submission document that the desired change would not adversely effect the soundness of the plan, but would, indeed help to make the plan sound. Site specific considerations are discussed below. In this context the Inspector is also requested to refer to previous submissions made at the Deposit Plan and initial Focussed Changes stages.
- 3.3 Representations previously made have emphasised that the land being promoted is confined to the GB Engineering, Braces Bakery and Remploy sites, together with additional residual land, including the playing field site to the north which will be retained. The existing industrial uses have identified alternative sites at nearby Penyfan Industrial Estate where more modern employment premises would allow more for more efficient operation and for further expansion.

- 3.4 Contrary to the Council's analysis of the site, therefore, the proposals do not involve the redevelopment for housing of protected employment land to the east which lies at a lower level and has separate access arrangements.
- 3.5 It is acknowledged that design and layout aspects would be fundamental in achieving a suitable form of development on the site. A comprehensive Masterplan was submitted and referred to at both the Preferred Strategy and Deposit Stages of the Plan. The proposed design solution would reflect the edge of settlement location with generous landscaping and planting to soften the visual impact in the context of the surrounding countryside and SINC which is referred to in the site analysis.
- 3.6 The Council Report considers that the area of open countryside would be affected. However, the previous representations emphasise that development would not extend beyond the small pocket of residential development at Pentref-y- Groes to the south. The SINC at Cwm Dows Valley would not, therefore be affected. Within the proposed development area the SINC within the Remploy Factory Grounds would be retained, and mitigation measures employed, as per the Phase 1 Ecological Assessment previously prepared by Hawkeswood Ecology and submitted at the Deposit Plan Stage.
- 3.7 It can therefore be concluded that the proposed re-development of the site would be compatible with the paragraph in the Council's Assessment which states that:

“It is recognised that part of the industrial estate however, is not protected for employment use and as such this area could potentially be considered for redevelopment for alternative land uses in the future. A prospective developer would need to adequately demonstrate that the site could be developed without having an unacceptable detrimental impact on existing land uses and any proposal would be judged on its own merits. “

3.8 The Council from the above therefore accept the principle for development, which, if developed for residential uses would create improved conditions for residents, where currently some 250 heavy goods vehicles enter and leave the site on a daily basis via an existing residential area. It can be concluded therefore that the site should be allocated for residential development as it would result in the soundness of the plan being improved by contributing to a wider choice of sustainable sites being identified in the Northern Connections Corridor by the provision of some 300 units.

4 CONCLUSION

- 4.1 This Statement is submitted as a response to the issues raised by the Inspector on the Caerphilly Local Development Plan on behalf of G.B. Engineering Ltd and Braces Bakery Ltd who are promoting land for development at Croespenmaen Industrial Estate, and who, along with other industrial occupiers who wish to relocate to new, purpose built accommodation nearby.
- 4.2 My Clients are challenging the soundness of the LDP and an assessment of the Plan against the 10 tests of soundness. In particular, it is considered that due to the reliance placed on sites not likely to be developed in the shorter term, the LDP fails to meet Test CE2 in that it has not had regard to appropriate alternative sites. In addition, the absence of a sufficient range of more readily available sites which are attractive to developers results in the Plan failing Soundness Test CE4 in that it is not sufficiently flexible to deal with changing circumstances. The desired change would therefore contribute to making the Plan more sound.
- 4.3 It is therefore considered that the allocation of additional sites is required in order that the Plan meets the above tests of Soundness, and that the site being promoted is well placed to meet housing needs, which will contribute to a wider range and choice of sites in the Northern Connections Corridor.
- 4.4 The Council's analysis of the site promotion is questioned in this respect as its boundaries do not include land to the east which is protected employment land, or land to the south which extends beyond the proposed settlement boundary. Proposals exist for the existing employment uses to relocate and there are no over-riding constraints which would prevent development. A Phase 1 Ecology Assessment and a Masterplan have been submitted at previous stages of the Plan process to demonstrate that the site can be developed with existing open space and biodiversity features retained.

4.5 Our Clients respectfully urge the Inspector to give careful consideration to their representations and to recommend that the site be included as a residential land allocation in the Local Development Plan.

KW Asbri Planning - March 2010